

The Land of Milk and Honey? An Investigation into the Working
Experiences of International Students in New Zealand

Danaë Meredith Anderson

A Thesis Submitted to
Auckland University of Technology
In fulfilment of the requirements for the degree of
Doctor of Philosophy (PhD)

2019

Faculty of Business, Economics, and Law

Abstract

Labour markets within New Zealand, as with other similar economies, have overcome labour shortages through worker migration schemes, seasonal work programmes, or limited entitlements to work. However, significant numbers of migrant workers congregate at the periphery of the labour market, located in tedious or hazardous positions with little regulatory oversight, cursory supervision, and poor remuneration (Anderson, Jamieson, & Naidu, 2012; Burgess & Campbell, 1998; Howells, 2011, Sargeant & Tucker, 2009). While research on contingent labour has increased, an ignored area of investigation concerns international students arriving on educational visas and pursuing employment while studying. Extant research to date primarily concentrates either on the working experiences of migrants (Anderson, 2010; Jayaweera & Anderson, 2009; Hawthorne, 2005; Parutis, 2014) or the educational experiences of international students (Andrade, 2006; Curtis & Shani, 2002; Guidry Lacina, 2002). The question, therefore, is what are the working experiences of international student workers for New Zealand?

There were three phases of data collection covering: literature review - both public and private sources, and two interview methods. Given the difficulties of researching vulnerable workers, the research design adopted a mixed method approach, using a questionnaire survey, semi-structured face-to-face interviews with both stakeholders and international student workers. More specifically, the survey of international students from public and private tertiary education establishments was undertaken and a sample interviewed. Opinions of key stakeholders from relevant government agencies and industry were also sought. The methods drew together 483 survey participants, interviewed 11 international students, and 15 Key Stakeholders.

Five key themes resulted. Characteristics of international students such as age and ethnicity were found to influence their labour market outcomes. Second, the link between education and work was vital, both as the conduit to enter New Zealand, and as a potential employer or labour market feeder. Further, education institute type and qualification levels influenced job quality and opportunity for transition. This is linked to the third key theme: how employment terms and conditions for international students may make them a vulnerable migrant worker. The fourth theme explores the role of protective mechanisms to mitigate the exploitation of international students. The final theme highlights the role of the ILO and its Decent Work programme, finding that weaknesses

in the influence and reach of its programme has meant that many international students do not transition to better work in New Zealand.

Finally, this study contributes to theoretical development by reconceiving models related to international students working, looking from a macro approach of factors measuring worker precariousness and occupational health and safety (OHS), to a micro approach of job quality measurement. It also contributes to the debate on policies and practices for working international students by focusing on the multiple factors that influence the status of contingent workers in New Zealand.

Table of Contents

Abstract.....	ii
List of Tables	xi
List of Figures.....	xii
Attestation of Authorship.....	xiii
Co-Authored Works or Publications Arising from This Thesis.....	xiv
Acknowledgements.....	xv
Ethics Approval	xvii
Definitions of Key Concepts.....	xviii
Chapter One: Introduction	1
1.1 Why Choose International Students?	5
1.2 Research Design.....	7
1.2.1 Anonymous Survey of International Students	9
1.2.2 In-depth Interviews with International Students.....	9
1.2.3 In-depth Interviews with Key Stakeholders.....	9
1.3 Thesis Outline.....	10
Chapter Two: Theoretical Models and Frameworks.....	13
2.1 Introduction	13
2.2 A Framework for Understanding International Students Working?.....	14
2.3 Push-Pull Factors Influencing International Student Destination Choice	16
2.3.1 The Push Factors.....	16
2.3.2 The Pull Factors.....	17
2.4 Atkinson (1984). Manpower Strategies for Flexible Organisations.....	20
2.4.1 Flexibility.....	21
2.4.2 Importance to the Firm	21
2.4.3 Employment and Contract Relations	22
2.4.4 Labour Market Segmentation	22
2.5 Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia	24
2.6 Sargeant and Tucker (2009). Layers of Vulnerability in Occupational Safety and Health for Migrant Workers: Case Studies from Canada and the UK.....	26
2.6.1 Layer 1 – Migration Factors	27
2.6.2 Layer 2 – Characteristics of Migrant Workers	28
2.6.3 Layer 3 – Receiving Country Conditions	29
2.7 Vidal (2013). Low-Autonomy Work and Bad Jobs in Postfordist Capitalism.....	30
2.7.1 Generic Labour Processes and the Quality of Employment: An Analytical Framework.....	33

2.8	Migrant Workers as Vulnerable Workers?	38
2.9	Conclusion.....	42
Chapter Three: Literature Review.....		44
3.1	Introduction	44
3.2	Migration Trends	45
3.3	Educational Migration.....	47
3.4	Motivations for Students Studying Overseas	49
3.5	Student Migration to New Zealand	51
3.6	International Student Characteristics.....	53
3.6.1	Language Competence, Social Relationships, and Age.....	54
3.6.2	Education Quality and Pastoral Care.....	55
3.6.3	Financial Concerns and Motivations for Engaging in Employment.....	56
3.6.4	International Students' Cost of Living in New Zealand	59
3.7	Migrant Employment.....	60
3.6.5	Industry Concentration and Business Characteristics.....	61
3.7.2	Migrant Employment Arrangements	64
3.8	The Health and Safety of Migrants.....	67
3.9	International Student Employment.....	70
3.9.1	Industry Concentration and Business Characteristics.....	71
3.9.2	International Student Employment Arrangements.....	73
3.9.2.2	The Job Quality of International Students'	77
3.10	The Health and Safety of International Students.....	78
3.10.1	International Student Inclusion and Exclusion	80
3.11	International Students as Vulnerable Workers?	81
3.12	The Transition of International Students in New Zealand.....	85
3.13	Regulation, Monitoring, and Enforcement	89
3.13.1	Immigration and Employment Legislation	89
3.13.2	Monitoring and Enforcement.....	93
3.13.3	Trade Union Responses	95
3.14	Can International Student Workers Access Decent Work?.....	98
Chapter Four: Research Design		102
4.1	Introduction	102
4.2	Researching International Students	103
4.3	Research Approach.....	105
4.4	Research Design	108
4.4.1	Research Stages	109
4.4.2	Participant Recruitment	110
4.4.3	Stage One Survey.....	113
4.4.4	Stage Two: Reflection by International Students on their Work Experiences... 115	
4.4.5	Stage Three Stakeholder Interviews	118

4.5	Data Analysis.....	118
4.5.1	Methodological Validity	120
4.6	Ethical Considerations.....	121
4.7	Conclusion.....	122
Chapter Five: Survey Findings		123
5.1	Introduction	123
5.2	Stage One Survey	124
5.2.1	Survey Participants	124
5.2.2	Survey Responses	126
5.3	Section One: Participant Characteristics	127
5.3.1	Demographics	127
5.4	Section Two: Studying in New Zealand.....	128
5.4.1	Why Study in New Zealand?	128
5.4.2	Survey Respondents' Visa Categories.....	129
5.4.3	Educational Institute Type and Qualifications Undertaken	130
5.5	Section Three: Financial Circumstances	131
5.5.1	Cost of Living	131
5.5.2	Financial Sources for Study.....	132
5.6	Section Four: Working in New Zealand.....	133
5.6.1	Respondent Work Status.....	133
5.6.2	Motivations to Work.....	134
5.6.3	Work Characteristics.....	135
5.6.3	Source of Current Employment	135
5.6.4	Job Characteristics	136
5.6.5	Business Characteristics	138
5.6.6	Business Location and Employer Nationality.....	138
5.7	Section Five: Remuneration and Working Conditions.....	139
5.7.1	Employment Contracts	139
5.7.2	Hours of Work	139
5.7.3	Remuneration.....	140
5.7.4	International Students' Perceptions of Pay Fairness.....	141
5.7.5	Participant Knowledge Skills and Attributes Gained from Working in New Zealand	142
5.8	Section Six: Health and Safety in the Workplace.....	143
5.8.1	Legislative Knowledge	143
5.8.2	Safety at Work	143
5.8.3	Working Conditions.....	144
5.8.4	Union Representation	147
5.9	Future Progression.....	147
5.9.1	Intention to Stay in New Zealand	147
5.10	Section Three: Financial Circumstances	151

5.11	Section Four: Working in New Zealand.....	152
5.11.1	Respondent Work Status.....	152
5.11.2	Motivations to Work.....	152
5.11.3	Source of Current Employment	152
5.11.4	Job Characteristics	152
5.11.5	Business Characteristics	154
5.11.6	Business Location and Employer Nationality.....	154
5.12	Section Five: Remuneration and Working Conditions.....	154
5.12.1	Employment Contracts	155
5.12.2	Hours of Work	155
5.12.3	KSAs Gained from Working in New Zealand.....	156
5.12.4	Working Conditions.....	157
5.12	Future Progression.....	158
5.12.5	Intention to Stay in New Zealand	158
5.13	Conclusion.....	159
Chapter Six: Interviews with International Students and Jobseekers about their Working Experiences.....		161
6.1	Introduction	161
6.2	Section 1: Participant Demographics	161
6.3	Section 2: Studying in New Zealand	163
6.3.1	Education Motivation and Institution Choice.....	164
6.3.2	Perception of New Zealand Education Quality.....	164
6.4	Section 3: Financial Circumstances.....	166
6.5	Section 4: Working in New Zealand	168
6.5.1	Employment Sources	168
6.5.2	Ease of Finding Work.....	169
6.5.3	Length of New Zealand Employment.....	170
6.5.4	Job Characteristics	170
6.5.5	Employment Terms and Conditions	172
6.5.6	Qualifications and Work Relevance	175
6.5.7	Work Enjoyment and KSAs Gained.....	175
6.6	Section 6: Health and Safety in the Workplace.....	176
6.6.1	Understanding of Employment Legislation.....	176
6.6.2	Working Conditions.....	177
6.7	Union Representation and Employment Progression.....	178
6.8	Future Intentions.....	178
6.8.1	Is NZ a <i>Good Deal</i> ?.....	179
6.9	Conclusion.....	180
Chapter Seven: Stage Three Key Stakeholder Interviews		181
7.1	Introduction	181

7.2	Research Participants.....	182
7.3	Studying in New Zealand	184
7.3.1	Motivations for International Students to Come to New Zealand	184
7.3.2	Quality of Education and Qualifications.....	185
7.3.3	Pastoral Care	186
7.4	Financial Circumstances.....	188
7.5	Working in New Zealand	189
7.5.1	Labour Market Barriers	190
7.5.2	Business and Work Characteristics.....	191
7.6	International Student Vulnerability	192
7.6.1	Workplace Exploitation	194
7.6.2	Who Exploits International Students?	195
7.7	The Health and Safety of International Students.....	197
7.7.1	Union Representation	198
7.8	Public Perception and International Student Legitimacy	199
7.9	The Impact of International Students Working	200
7.10	Future Progression.....	201
7.10.1	Transitioning to Work or Permanent Residency.....	201
7.11	Regulation and Enforcement	203
7.11.1	Government Agencies and Policy Imperatives.....	203
7.11.2	The Role of Monitoring and Enforcement.....	206
7.11.3	Policy Recommendations	209
7.11.4	Risks to the International Education Sector.....	210
7.11.5	Measures of Success	212
7.12	The Future of the Export Education Sector	213
7.13	Conclusion.....	215
	Chapter Eight: Discussion.....	216
8.1	Introduction	216
8.2	Research Themes.....	217
8.3	Theme One: International Student Characteristics.....	220
8.4	Theme Two: Study and Work	221
8.4.1	Studying in New Zealand	222
8.4.2	Motivations for International Students to Study in New Zealand	223
8.4.3	Education Quality and Pastoral Care	225
8.5	International Students Working While Studying.....	228
8.5.1	Motivations for Engaging in Employment	228
8.5.2	Source of Current Employment	231
8.5.3	Owner/Manager Nationalities.....	233
8.5.4	Conflict Between Study and Work	233
8.6	Theme Three: International Student Employment Arrangements.....	235

8.6.1	Industry Concentration and Business Characteristics.....	235
8.6.2	Contractual Arrangements and Employment Legislation Awareness	239
8.6.3	Remuneration and Hours of Work.....	240
8.6.4	Working Characteristics and Employment Experiences.....	243
8.6.5	International Student Occupational Health and Safety	245
8.6.6	Employment Flexibility or Workplace Exploitation?.....	248
8.6.7	Are International Students Vulnerable Workers?	254
8.7	Theme Four: Regulation, Monitoring, and Enforcement Mechanisms	255
8.8	Regulation, Monitoring, and Enforcement	256
8.8.1	Union Representation	263
	Theme Five: The Ability to Access Decent Work and Transition.....	266
8.8.2	Participant KSAs Gained from Working in New Zealand.....	266
8.9	Inclusion and Exclusion	268
8.10	Job Quality.....	270
8.11	Outcomes for International Students	273
8.12	Can International Students Access Decent Work?	280
8.13	A Framework for Understanding International Students Working?.....	282
8.14	Conclusion.....	285
	Chapter Nine: Conceptual Frameworks and Conclusion	287
9.1	Introduction	287
9.2	Summary of Research Findings.....	288
9.3	Implications for Legislation, Monitoring, and Enforcement	290
9.4	Reframing the Core and the Periphery: Multivariate Analysis Model of International Student Working Experiences	293
9.5	Contributions to Knowledge.....	299
9.6	Study Limitations	299
9.7	Future Research	302
9.7.1	Linking Tertiary Institution Quality, Qualification Levels, and Employment Outcomes	302
9.7.2	Employer Motivations for Employing International Students.....	302
9.7.3	A Greater Role for Trade Unions?.....	302
9.7.4	Theorising International Student Work	302
9.8	Recommendations	303
9.9	Conclusion.....	306
	Appendices.....	348

Appendices

Appendix A: AUTECH Ethics Approval	348
Appendix B: Advertisement in Ethnic Community Newspapers for Recruitment of Survey Respondents	350
Appendix C: Handout for Survey on International Students Working in New Zealand.....	351
Appendix D: Participant Information Sheet for Survey on International Students Working in New Zealand	352
Appendix E: Stages 1A/B International Student Online Survey	355
Appendix F: Advertisement to Participate in Stage Two International Students Working in New Zealand Interview.....	366
Appendix G: Participant Information Sheet for Interviews with International Students Working in New Zealand.....	367
Appendix H: Consent Form for Interviews with International Students Working in New Zealand.....	370
Appendix I: Stage Two International Students Interview Topics Guide	371
Appendix J: Invitation to Participate for Key Stakeholders (Email)	373
Appendix K: Participant Information Sheet for Interviews with Key Stakeholders About International Students Working in New Zealand.....	374
Appendix L: Consent Form for Key Stakeholder Interviews	377
Appendix M: Stage Two International Student Stakeholder Interview Topics Guide.....	378
Appendix N: Researcher Safety Protocol	380
Appendix O: Key Research Findings.....	381
Appendix P: Confidentiality Agreement for Transcriber.....	385
Appendix Q: MBIE response to 2017 Official Information Act 1982 Request about Labour and Immigration Policy, Monitoring and Enforcement Mechanisms	387
Appendix R: Detail from Stage Three Stakeholder Interviews	400

List of Tables

Table 2.1. Layers of Vulnerability	27
Table 2.2. Employment by Generic Labour Process Type 1960, 2005	32
Table 2.3. Eighteen Job Types	35
Table 3.1. International Student Key Figures	53
Table 3.2. International Student Job Categories	72
Table 4.1. Common Assumptions Held by Critical Theorists and Researchers	106
Table 4.2. Participant Engagement Criteria	109
Table 4.3. Summary of Research Participants	111
Table 4.4. Data Collection Stages	112
Table 5.1. Respondent Ethnicity	127
Table 5.2. Reasons for Studying in New Zealand	128
Table 5.3. Student Loan Characteristics	133
Table 5.4. Employment Length in Current Job	135
Table 5.5. Respondent Work Category	136
Table 5.6. Industry Representation	137
Table 5.7. Business Size	138
Table 5.8. Average Hours Worked per Week	139
Table 5.9. Remuneration for Current Position	140
Table 5.10. Respondent Work Category	153
Table 5.11. Industry Representation	153
Table 5.12. Business Size	154
Table 5.13. Average Hours Worked per Week	155
Table 6.1. Interview Participant Characteristics	162
Table 6.2. Industry Representation of Respondents	171
Table 7.1. Key Stakeholders	183
Table 8.1. Employment Sources for International Students	232
Table 8.2. Stage 1A Respondent Work Category That Best Fits Current or Most Recent Employment: International Student Self-Report and Researcher Recategorisation	236
Table 8.3. Stage 1B Respondent Work Category That Best Fits Current or Most Recent Employment International: Student Self-Report and Researcher Recategorisation	236
Table 8.4. International Student Contractual Arrangements and Employment Legislation Awareness	239
Table 8.5. The Employment Experiences of International Students	244
Table 8.6. International Student Worker Training and Understanding	245
Table 8.7. Work Roles and Accidents of International Students	247
Table 8.8. Exploitation Experiences of International Students	250
Table 8.9. Post-Study International Student ‘Professional’ Job Categorisation	274
Table 9.1. Link Between the Research Questions and Theoretical Models	294

List of Figures

Figure 2.1. Atkinson’s Core and Periphery Labour Market Model	21
Figure 2.2. Forms of Labour Insecurity	25
Figure 2.3: Connections Between Relevant Theoretical Models and Frameworks	37
Figure 3.1. The Growth in the Internationalisation of Tertiary Education (1975–2014).....	48
Figure 3.2. Host Countries of International Students 2015.....	49
Figure 3.3. Number of International Students in New Zealand by Education Sector, 2012– 2016	52
Figure 3.4. The Composition of Student Living Cost Expenditure	60
Figure 4.1. The Topic Intersections of International Student Workers.....	104
Figure 4.2. Stage Two International Student Interview Pseudonyms.....	116
Figure 5.1. Overview of the Survey Responses	126
Figure 5.2. Respondent Visa Category	129
Figure 5.3. Educational Institute Type.....	130
Figure 5.4. Qualification Undertaken	131
Figure 5.5. Estimated Total Cost of Living per Week	132
Figure 5.6. International Student Work Status.....	133
Figure 5.7. Motivations to Work.....	134
Figure 5.8. Source of Current Employment.....	136
Figure 5.9. Participant KSAs Gained from Working in New Zealand	142
Figure 5.10. Workplace Injuries	144
Figure 5.11. International Student Union Membership	147
Figure 5.12. Intention to Stay in New Zealand	148
Figure 5.13. Is Studying in a New Zealand a <i>Good Deal</i> ?	151
Figure 5.14. KSAs Gained from Working in New Zealand.....	157
Figure 9.1: Multivariate Analysis Model of International Student Working Experiences	298

Attestation of Authorship

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person (except where explicitly defined in the acknowledgements), nor material which to a substantial extent has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.

Danaë Meredith Anderson

16th August 2019

Co-Authored Works or Publications Arising from This Thesis

Anderson, D. (2018, 31 January - 1 February). *OHS Experiences of Student Migrant Workers*. Paper presented at the 6th International Conference on Precarious Work and Vulnerable Workers, Auckland.

Anderson, D. (2016, 1 October). *Opportunity or Exploitation? International Students Working in New Zealand*. Paper presented at the International Student Forum, Auckland.

Anderson, D., & Tipples, R. (2014). *New Zealand Journal of Employment Relations*, 39(1), 52-67.

Lamm, F., Rasmussen, E., & Anderson D. (2013). The Case of the Disappearing Department of Labour: Whither Goes State Protection for Vulnerable Workers? In M. Sargeant & M. Ori (Eds.), *Vulnerable Workers and Precarious Working* (pp. 184 – 219). Newcastle: Cambridge Scholars Publishing.

Acknowledgements

“Taking the long way around ...” The Dixie Chicks

I take seriously the role of an academic as “the critic and conscience of society.” For me, research should explore areas that need attention, but may be difficult and disquieting. Nonetheless, when I began this journey, I had little knowledge of how long it would take, nor how deeply influenced I was by the findings. I felt despair and anger, but also hope. Meeting people who gave their time to publicise and help these vulnerable students, and the international students themselves. Many were scared, but they completed a long survey or agreed to be interviewed to elucidate their experiences of working in New Zealand

Many times, I felt that I could not do or be what they wanted me to be. This caused a problem of distance, and I had to work at being a reporter. What I realised is that this research could not be neutral, with me hearing and conveying some alarming experiences. I made peace with this and have tried to portray their experiences as accurately as I can.

My transcriber was incredible, taking a large volume of material and making it understandable. She gave me extra help when I couldn't write and organised my thoughts.

My mother Lesley came out of retirement to do just one last editing job. She critiqued and challenged me, put up with my jumbled thoughts, and supported and fed me. Thank you.

To my friends, who found me distracted and obsessed for years, and the dog family we share who sat with me for many a late night and forced me to take them walking when I was pondering things for too long.

My appreciation to AUT for a postgraduate scholarship and MBIE for financial support.

And my incredible supervisors Associate Professor Felicity Lamm and Professor Erling Rasmussen- your good humour, helpful suggestions and patience made this whole long journey a good one. I'm sure you were frustrated with me on numerous occasions, but you hid it well. Felicity's excitement combined with Erling's calm temperament were a great supervisor combination. I admire you both very much.

To the stakeholders who gave freely of their time, supporting me, criticising and suggesting change to policy and practice, as well as guiding me in the research direction.

And finally, for the international students who readily gave their time, told their friends, and explained their world to me. While many spoke off the record, their ideas and experiences helped shape this thesis more than they will realise. I hope I have done you some justice.

Ethics Approval

This research was approved by the Auckland University of Technology Ethics Committee AUTEK on the 20th of May 2014, Ethics Application Number 14/131.

Definitions of Key Concepts

As discussed in my published book chapter (see Anderson, Lamare, & Hannif, 2011) there are conceptual and definitional issues in definitions of migrant, student migrant, and international student (see Achacoso, 2011; Jayawera & Anderson, 2009; Wickramasekara, 2002).

According to the Oxford Dictionary (2013), a *student* is a person studying at a university or other place of higher education, while a *migrant* is a person who moves from one place to another in order to find work or better living conditions. However, it is acknowledged that definitions of *migrant* vary among different jurisdictions and between datasets (see Anderson, 2010; Department of Labour, 2010; Haque, 2002; International Labour Organisation (ILO), 1991). Further, the term *migrant* within public discourse is loose and often conflates issues of immigration, race/ethnicity, and jobs. Conflicting views (e.g. “good” vs. “bad” *migrants*) and the fact that many *migrants* to NZ are often transient, pose challenges for data collection and policy makers. *Student migrants* differ from immigrants or emigrants (a person who comes to live permanently in a foreign country) (Oxford Dictionary, 2013) as their visa is temporary and conditional on attendance at an educational institute.

This research uses the phraseology of *international student*- a term that has entered common parlance refers and is used in the *Participant Information Sheet* and Consent Form, so participants understand the sampling group that this research denotes. A definition is provided below.

Export education – Relates to the provision of education to full fee-paying international students who travel to another country to study in both the schooling and tertiary sectors (Education Counts, 2018).

International students – The OECD (2015) defines international students as a subset of foreign students who move from their native country with a purpose of studying. However, there is no universal definition of "international students" as it is hard to fit them in any migration traditional category, as they are classified as temporary migrants and often part of circular migration patterns.

Labour migration – Movement of persons from one State to another, or within their own country of residence, for the purpose of employment (IOM, 2018).

Migrant – While not defined under international law, reflecting the common lay understanding of a person who moves away from their place of usual residence, whether within a country or across an international border, temporarily or permanently.

Migration – a “population movement, encompassing any kind of movement of persons, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes.” (IOM, 2018).

Migrant workers – Sargeant and Tucker (2009, p. 52) define migrant workers as: “...workers who have migrated to another country to take up work but who currently do not have a permanent status in the receiving country... The migrant category... includes both workers who have obtained a legal right to enter and work, as well as those who have entered and are working without legal authorisation. It also includes temporary foreign workers whose right to work is time limited from the outset, as well as foreign workers who have a more open-ended right to remain but have not yet obtained permanent status”.

Non-compliant employment in relation to international students is defined as employment where minimum employment standards are not applied or which exceed the terms of a student's visa (MBIE, 2018a).

Occupational Health – s generally defined as the science of the anticipation, recognition, evaluation and control of hazards arising in or from the workplace that could impair the health and well-being of workers, taking into account the possible impact on the surrounding communities and the general environment (ILO, 2008, p. vii).

Precarious work is work that places people at risk of continuing poverty and injustice resulting from an imbalance of power in the employer-worker relationship (TUC Commission on Vulnerable Employment 2008, p. 11). This concept comes from the deviation from standard employment with a full-time, long-term and socially secure job (Sergeant, 2016). Anderson and Rogaly (2005) suggest short-term; temporary or casual contracts; working for an agency or third party rather than being a direct employee; providing a contracted-out service; and working for low wages that prevent the achievement of a decent standard of living are features. Others have suggested that the features of precarious or contingent work are that it is sometimes work for more than one employer, is often not ‘full-time’ and is sometimes limited in duration (Feldman, 2006; Sargeant, 2016).

“The concept of precariousness involves instability, lack of protection, insecurity and social or economic vulnerability ... It is some combination of these factors which identifies precarious jobs, and the boundaries around the concept are inevitably to some extent arbitrary” (Rodgers, 1989, p. 5). While the terms “contingent work” and “precarious employment” are used interchangeably, the latter term has won more support from scholars.

Temporary migrant workers – are understood as “persons who live in a host country without a right of long-term residence and who undertake paid work during their stay” (Boese, Campbell, Roberts, & Tham, 2013, p. 317).

Vulnerable worker – The United Kingdom Department of Trade and Industry (2006) definition as someone working in an environment where the risk of being denied employment rights are high and who does not have the capacity or means to protect themselves from abuse. Within a migration context, vulnerability can be conceived as the limited capacity to avoid, resist, cope with, or recover from harm.

Chapter One: Introduction

“...a people traffickers’ paradise, an extortionist’s dream, —typified by fraud and corruption.”

(MP Ron Mark on the New Zealand export education sector, in Parliamentary Hansard, 2015).

Millions of students leave their home countries every year to pursue tertiary education overseas. This development has occurred in tandem with the globalised movement of labour, where “growing international literature on the economic and ethical dimensions of temporary labour migration” (Reilly, 2013, p. 183) has increased debate on workers’ rights. Furthermore, employment environments within New Zealand, like other economies, have resulted in worker shortages being filled through worker migration schemes, seasonal work programmes, or limited entitlements to work. While in New Zealand many international students will engage in work while studying and comprise a growing segment of the workforce. Correspondingly imposed has been increasingly limited transition to citizenship avenues for international students at the end of their study,

Through the creation of categories of entrant, the imposition of employment relations and the construction of institutionalised uncertainty, immigration controls work to form types of labour with particular relations to employers and to labour markets. They combine with less formalised migratory processes to help produce ‘precarious workers’ that cluster in particular jobs and segments of the labour market (Anderson, 2010, p. 301).

Studies show that employing migrant labour is now pervasive, particularly in industries where non-standard, precarious employment is the norm (see Dyer, McDowell, & Batnitzky, 2008; McLaren, Firkin, Spoonley, Dupuis, de Bruin, & Inkson, 2004; OECD, 2009). With growth rates significantly higher than conventional employment, these contingent employment relationships have attracted both popular and academic attention. For example, overseas research indicates the trend is creating a worker underclass (Kalleberg, Reskin, & Hudson 2000; MacKenzie & Forde 2009; McDonald, Bailey, Oliver, & Pini, 2007). Migrant workers often work longer, and unsociable hours compared to many non-migrant, full-time workers in standard employment (Loh & Richardson, 2004; Quinlan & Mayhew, 2001) and are seen to accept unpredictable variations in employment conditions more readily than non-migrant citizens (Clibborn, 2015; Ethier, 1985; United Nations, 2014).

Hannif & Lamm (2005) contend that non-standard workers can be linked with precarious work and that precarious employment is a subset of nonstandard work, while qualitative studies details situations where significant numbers of migrant workers congregate at the periphery of the labour market, with little regulation or progression, and poor remuneration (Ahmad, 2008; Pai, 2008; Wills et al., 2006). There are significant concerns with such forms of working arrangements: migrant workers may obtain work through community connections or labour contractors, work excessive hours, have a limited understanding of their legal rights, and a significant proportion work in sectors with relatively high accident rates (Anderson et al., 2012; Barron & Anastasiadou, 2009; Garson, 1999; Green, Owen, & Jones, 2007). International research has also explored the possible effects on wellbeing of the different forms of work often associated with adverse outcomes such as shift work, on-call, temporary, and part-time employment (Lewchuk, 2017; Pledger, Cumming, McDonald, & Poland, 2009; Quinlan, Mayhew, & Bohle, 2001).

This thesis addresses a subset of migrant employment, that is, those international students who have entered New Zealand on an educational visa. As their primary migration category is education, employment is not their primary class of visa entry, and nor do they have unconditional work rights. This visa conditionality may make them more exposed to poor work quality and lessened opportunity than national workers (Anderson, 2010; Sargeant & Tucker, 2009; Shelley, 2007). During their education, international students may undertake paid work for financial imperatives, to gain the desired 'local experience', or for qualification requirements. For many however, their potential vulnerability (from language competency, age, discrimination, lack of recognition of qualifications, and lack of New Zealand work experience) may be multiplied in deregulated labour markets, and in jobs characterised by low wages, insecurity, and unclear employment relations legislation (Haque, 2002; MacKenzie & Forde, 2009; May et al., 2006).

Although research eludes to generally poor labour market outcomes for this migrant group (Bauder, 2006; Bennett, 1993; Garson, 1999), little is known of international students' experiences of working in New Zealand. While students may work in addition to their study limited quantitative or qualitative information has been collected to inform policy or debate (MBIE, 2014; 2014a; Merwood, 2007). Further, the statistical information available measures only those engaged in the formal economy whereas the secondary labour market is probably where much international student work is located

(Anderson, et al., 2012; Haque, 2002; Jayaweera & Anderson, 2009; Pai, 2008a; TUC Commission on Vulnerable Employment, 2008). Nevertheless, in the extant research available, the student migrant is typically not seen as emblematic of a vulnerable worker (International Labour Organisation [ILO], 2010; Pollert & Charlwood, 2009) because there are minimum financial requirements for entry, part-time work conditionality, and occupation limitations for student visa compliance globally and, more specifically, in New Zealand (Immigration NZ, 2018).

These legislated requirements have been declared as mitigating international student worker exploitation in New Zealand (MBIE, 2014), and official discussion has largely centred on students “choosing” to work to gain the highly desired *New Zealand experience*. However, such presumptions assume that international students have enough disposable income to make paid work a choice. These assumptions also ignore the fact that some international students attend private training enterprises [PTEs] that have been anecdotally implicated in labour provision in a variety of domestic industries. Further, the cost of studying in New Zealand is high when accommodation and other expenses are included. Informal evidence indicates that many students are misled by overseas immigration agents about the cost of living and their potential for earning both during and post study.

Global research has largely concentrated on either the working experiences of migrants (see Anderson, 2010; Jayaweera & Anderson, 2009; Hawthorne, 2005; Parutis, 2014), the experiences of international students (Deumert, Marginson, Nyland, Ramia, & Sawir, 2004; Jackling, 2007; Merwood, 2007), or the working experiences of young people (Anderson, 2010, Manthei & Gilmore, 2005; Smith & Wilson, 2002). International students who are studying and working have had limited appearance in labour-studies literature until more recently (Anderson & Naidu, 2010; Anderson et al., 2012; Clibborn & Wright, 2018; Gribble, 2014; Nyland, Forbes-Mewett, Marginson, Ramia, Sewer, & Smith, 2009), although the media overseas and in New Zealand have publicised this emerging issue and concerns for some time (Craig, 2010; Cowlshaw, 2017; Garnaut, 2006; Southern Poverty Law Center, 2014; Tan, 2013, 2010). Typically, the literature in this area has focused on quantifying the proportion of students employed, financial imperatives, number of hours worked, and the effect employment has on academic results and wellbeing (Bexley, Devlin, James, & Marginson, 2007; Curtis, 2000; Tam Oi & Morrison, 2005; Manthei & Gilmore, 2005; Merwood, 2007; Riggert et al., 2006).

While there is some rudimentary New Zealand data on export education and where migrant workers congregate (see Butcher, 2009; Department of Labour, 2007, 2003; Gibson, 1983; Lovelock & Leopold, 2008; Watts & Trlin, 2000), as well as some domestic literature that acknowledges migration as a solution to skills shortages (Cameron, 2011; Lovelock & Leopold, 2008; Williams, 2009), this thesis argues the interdependency of the export education sector and the labour market presents inherent problems in realising the goal of ‘Decent Work’ for all workers in New Zealand (see International Labor Office, 2009; ILO, 2018; 2002). The view taken in this thesis is that the labour market is reliant on international students as a source of labour while the export education market is the medium through which such workers can legitimately enter the country. At the most basic level such labour market transaction is a model of supply and demand and yet it is ambiguous. Why do international students “choose” to engage in work? And is the primary goal of these students’ education or employment?

This study recognises that the work undertaken by international students cannot be seen in isolation from external influences, such as global and domestic migration and economic policies. Examination also sits within several intersecting concerns including labour market supply, migrant vulnerability, the export education industry, and movement of youth to pursue educational and work opportunities (Bauder, 2006; Deumert et al., 2004; Merwood, 2007; Nyland et al., 2009). Furthermore, this thesis suggests that traditional models of primary and secondary labour markets pay insufficient detail to, and acknowledgement of, a power imbalance in the employment relationship. However, in order to redefine and broaden the definition of *vulnerable worker* by including the international student in this category, it is necessary to evaluate the differences between a “typical” migrant and those who study in New Zealand and work. It is argued that in many cases international students are compelled to accept very poor conditions of employment and exhibit many of the vulnerabilities experienced by those in the broader migrant category. Moreover, the debates about international students must widen to acknowledge the politicisation of migration globally and domestically. The lack of consensus between the main New Zealand political parties on fundamental issues of protective legislation, immigration policy and employment regulation, and monitoring and enforcement capacity weakens long-term planning and consistency. Further, the dominant policy rhetoric of students as economic units fails to recognise their wide-ranging contributions to New Zealand society. Therefore, the thesis research questions seek to address these emerging concerns by addressing the following research questions:

- RQ1. What are the prevailing political, social, and economic factors that influence how international student workers are employed in New Zealand?
- RQ2. Are current regulation, monitoring, and enforcement mechanisms adequate to protect international students working in New Zealand?
- RQ3. What are the working experiences of international student workers in New Zealand and do such experiences make these workers vulnerable?
- RQ4. Do the working characteristics of international students differ from those of migrant workers?
- RQ5. What are the typical employment arrangements (such as employment status, legal protection, the level of wages and conditions, enforcement of the regulations) for international student workers?
- RQ6. Can international students working in New Zealand access Decent Work?

1.1 Why Choose International Students?

International students as a research area has been chosen for several critical reasons. Firstly, a significant number of students had asked the researcher for employment advice as they were working in poor and/or illegal conditions. During discussions with colleagues in the education sector and the students themselves it became evident that more international students were working than were captured by official data (see MBIE, 2014; 2014a). Secondly, following investigation and publication of two papers centred on the service and horticulture sectors (Anderson & Naidu, 2010; Anderson et al., 2012), the researcher was approached by informants and stakeholders wishing to share their experiences and opinions on international students working. At the time this research commenced, exploitation of migrants in the primary sector had gained some publicity (Boyes, 2011; Hawkes Bay Today, 2010). This mistreatment was against a backdrop of relatively high domestic unemployment, particularly in rural areas, and tightened benefit rules for domestic job seekers (Ministry of Social Development, 2011).

Thirdly, export education is extremely significant for the domestic economy, and successive governments have pursued policies to encourage increased market share. Accordingly, with increasing numbers of students pursuing education in New Zealand it is fitting to discuss the interconnections between work and education. Evidence suggests

that, while some student migrants may enter under the auspices of a student visa as a prospect for work, most students arrive seeking the enhanced opportunities an overseas education may afford them. Often there is a perception of greater opportunities in host countries, as well as a desire for permanent residency (Anderson & Naidu, 2009; Nyland et al., 2009).

For the host country, migration can address skills shortages, provide financial investment, and enhance diversity. However, while immigration policy aims to “attract and retain international students” (Merwood, 2008, p. 6), the path to permanent residency has changed where entry categories and requirements are more limited than previously. Official government policy presumes the retention of some international students as a way of mitigating skills shortages but a lack of commitment by successive governments and their agencies to elucidate a coherent immigration policy indicates tensions in balancing policy priorities.

It is acknowledged that many international students engage in legitimate and fair work and are not inherently vulnerable. Those undertaking work may experience the positive impact of work, in terms of practical experience, socialisation, improved language skills, and the opportunity for improved life chances. Nonetheless, while employment legislation regulates those who work legally, anecdotal and documented evidence points to illegal work trends, primarily through violation of hour restrictions or by involvement in the secondary labour market and informal economy. McDonald et al. (2007) note that international student workers are vulnerable to employer exploitation because of their limited work skills, high levels of unemployment and underemployment, and poor knowledge of their rights. Some of the reasons students may work in breach of their visa conditions include financial imperatives, gaining New Zealand experience, and finding the cost of living in the host country to be higher than anticipated (MBIE, 2014; Anderson et al., 2012).

International students’ unique position in the labour market may also leave them more susceptible to inferior working conditions than the host working population. In this respect, some newly arrived migrants, whatever their age, may share similarities with younger workers. Indeed, young people have a greater propensity to migrate, and recently arrived migrants have a much younger age profile compared to the established population and are favoured by the existing immigration point allocation favours a younger age profile, often allocating points for age and mandating a minimum time before access to

public support. (Immigration New Zealand, 2017; New Zealand Visa Bureau, 2018). In the case of international students many are experiencing separation from family and cultural support structures for the first time, with a resultant lack of guidance and care.

There are, however, limited studies and government reports on the rise in the number of cases of abuse against international student workers. For example, in early 2010, the Australian Government asked the Australian Institute of Criminology (AIC) to conduct independent research into crimes against international students, with particular reference to crime against Indian students. In late 2012 the Ministry of Business, Innovation and Employment* (MBIE) in New Zealand followed the Australian precedent and began to review the policies surrounding international students¹¹. Both reviews aimed to identify ways to ensure that international students were being treated fairly and employed on terms and conditions that met minimum employment standards and immigration laws (i.e. are not being exploited in the labour market). However, in New Zealand limited investigation of international students working has been undertaken by official agencies, and assumptions made about this cohort in public policy documents often lack an evidential basis.

Therefore, the aim of this research is to investigate the working experiences of international students studying in New Zealand and whether accessing Decent Work is a reality for these workers. In particular, the research will examine the policy settings for migration and work relevant to the group. Subsidiary aims are to reconceptualise various labour market models — from Atkinson (1984) to Vidal (2013) — specific to international students and offer evidence- based strategies to counter the unfair treatment of international student workers.

1.2 Research Design

As stated previously, this thesis seeks to explore the working experiences of international students while they are studying in New Zealand. It investigates the ‘choices’ made by international students working during the academic term, the characteristics of such employment, and the impact of this work on international student respondents.

After reviewing the literature, problems of collecting research data from a largely invisible group have been identified (Anderson et al., 2009; Lamm, 2014). While there

¹ I was a member of the International Student Advisory Panel at the Ministry of Business, Innovation and Employment from 2012-13.

has been growing concern about migrant exploitation and associated areas, this has not been matched by a growth in data collection from government agencies. Despite growth of the international student market, only limited data is collected by orthodox means such as government surveying or accident compensation statistics by domestic agencies like MBIE, Immigration New Zealand, and Accident Compensation Corporation (ACC). This means it is difficult to estimate the *extent of the problem* as migrant workers are often difficult to contact and reluctant to engage with regulatory and monitoring agencies. International and domestic research indicates widespread under-reporting of migrant exploitation cases on a continuum from minor employment breaches to the more serious (Anderson, 2013; 2008; Heron, 2016; Stringer, 2017).

A lack of willingness by those exploited to pursue legal action is in part due to a previously punitive approach by immigration authorities for visa breaches. While some prosecutions have been publicised more recently (SBS, 2018; Worker exploitation rampant across New Zealand, study shows, 2016; Immigration New Zealand 2015), *word-of-mouth* among international students has meant many would not approach authorities with employment concerns. This has been acknowledged in internal discussion documents (refer to Appendix Q for further detail). In addition, limited collaboration and information-sharing between government agencies weaken official responses to labour market concerns, also recognised in numerous internal documents and in part addressed by joint operations and legislative changes from 2013 onwards. Further, immigration and labour market policies at the macro and micro level have structural contributions to the working conditions of international students but this is little acknowledged in existing protective legislation (Employment Relations Act, 2000; Immigration Act, 2009).

Not only does a review of the literature identify areas that have not been investigated, this investigation has far-reaching implications for New Zealand's export-dependent economy, where export education was the fourth highest export earner by value in 2016, and it is well known that export education is extremely reliant on reputation. Therefore, a number of considerations come to the fore, including:

- how to best sample an *invisible* labour market segment
- quantifying the extent of the problem in an unknown potential sample size and with access issues
- choosing theoretical frameworks to best explain the data collected.

These research concerns were approached by using a qualitative methodology with three survey stages (for details, see below and Chapter Four), where the validity of the three research parts is enhanced by triangulation. This method requires the incorporation of multiple sources of evidence converging on the same sets of findings (Neuman, 1994; Taylor & Bogdan, 1998; Yin, 1984), achieved through three phases of data gathering:

1.2.1 Anonymous Survey of International Students

Online surveying explored the working experiences of international students in New Zealand. The survey format includes closed questions of demographic information about the participant group and open-ended questions where the respondents could relate their experiences in narrative form. Central to this approach is the concept that the research involves understanding international student worker experiences from their own frames of reference to gain rich, meaningful data by exploring the meanings workers attach to their lives (Taylor & Bogdan, 1998). The survey sample was purposive and limited to international students working while studying in New Zealand. Auckland dominates the data as the largest export education and international settlement location in New Zealand (Friesen, 2012; Statistics NZ, 2018). Sampling was elective, advertised in various media sources, and delivered through the point of education rather than work sites. This gave potential respondents a choice whether to participate, and the online questioning format was convenient for participants to answer at a time suited to them.

1.2.2 In-depth Interviews with International Students

From the key themes identified in the survey, in-depth interviewing sought to further investigate the working experiences of individual international students. By addressing themes identified in the survey in further detail and with a semi-structured format, the conversations presented further key features of the international student work experience in New Zealand. As many students elucidated their aim of gaining New Zealand residency post study, it was also appropriate to investigate work outcomes for international students who had transferred to a Post Study Work Visa.

1.2.3 In-depth Interviews with Key Stakeholders

Finally, semi-structured interviewing (involving key stakeholders (including government officials, unions, educationalists, labour lawyers, migrant advocates, and others identified in the research) was used to gain critical commentary on key research findings and associated areas. The focus on stakeholder 'buy in' and action intended to gain involvement and participation from those interviewed in ideas and process rather than

considering findings in the abstract as a disinterested bystander (Meyer, 2000). Interviews with stakeholders were determined by interest and/or expertise, and involvement in issues relating to international student wellbeing.

1.3 Thesis Outline

Following this introduction, Chapter Two suggests theoretical models for conceptualising international student workers in a chronological order — from an early conceptualisation of workers in the core and periphery (Atkinson, 1984) to Vidal’s Labour Process Theory (2013). These frameworks explain development of the understanding of international student work vulnerability and suggest the theoretical foundation and guidelines for this exploratory study.

Chapter Three reviews the literature on educational migration. The tertiary education sector and the international student market are analysed, as well as the nature and characteristics of migrant work in relation to the health and safety of international student workers. The literature review also provides a summary of current academic focus on this topic, illustrating the way in which migration status and education level influence patterns of work, and the potential for progression from international student to vulnerable migrant worker. Finally, New Zealand’s legislative framework will be investigated, along with responses to international student exploitation.

Chapter Four outlines the research design. First discussed is the specific concerns of researching migrant labour, and more specifically international students working. The basis and appropriateness of analysis drawing on a multidisciplinary approach are explained, as well as the appropriateness of choosing a surveying methodology. Discussing the chosen epistemology and ontology of this research, followed by the research design, the rationale for the survey instruments is then presented. Following are details of the three research stages as well as indicative questions asked of respondents. The rationale and appropriateness of an analysis drawing on a critical constructivist approach are explained. Clarifying the ethics and validity of this research concludes this chapter.

Chapters Five through to Seven present the findings from each of the three research stages. Based on a survey and interviews, Stages One and Two report the experiences of international students working while studying or on a Post Study Work Visa. Key findings of poor working conditions, minimal progression, and negligible employee participation were commonplace. However, in contradiction most candidates reported that they had

gained positive skills and attributes while working and wished to stay in New Zealand. Stage Three stakeholder interviews sought responses to the key findings along with their opinions on policy, monitoring, and enforcement. Questioned was the utility of the Post Study Work Visa category and its dependent relationship to the Skill Shortage Lists, along with the longer-term viability of the export education industry in its current state.

Chapter Eight draws together the key findings with reference to the labour market models presented in the Chapter Two Literature Review. Discussion is guided by key themes identified from the international student survey and stakeholder interviews related to the literature identified in Chapters Two and Three. The chapter highlights clear differences in international student working experiences — primarily differentiated by nationality and age. In addition, nationality and gender are identified as having a considerable influence in the relationship between work quality, employment progression, and visa category transition.

The effectiveness of existing legislation, monitoring, and enforcement is discussed, along with discussion of policymaking imperatives. These findings seek to understand international student work with reference to the various theoretical models identified in Chapter Two to develop a more comprehensive framework. The discussion chapter suggests that there is a strong relationship between migration status and work opportunities, working conditions, and worker transition. Finally, it suggests that, while effective representative participation could have a positive effect on the working conditions of international students, participatory practices are likely to need to move beyond the traditional union representation to have the greatest impact with hard-to-reach workers.

The final chapter of the thesis considers what the findings of the research might contribute in general to the literature on educational migration, migrant work, and Decent Work. It compares the ideas presented in the discussion chapter more closely with the literature reviewed in Chapter Two. The thesis concludes that there is a relationship between demographic characteristics, migration status, work conditions, and limited employment progression for international students. Important external factors in this study were the role of financial pressures within the owner/manager worker power relationships, along with the ease of finding employment for international students. The relationship at the workplace level is also shaped by external factors such as the regulatory framework, and official agency enforcement capability, i.e. the probability for the employer of getting

caught. The chapter concludes by acknowledging the methodological limitations and proposing directions for future research.

Chapter Two: Theoretical Models and Frameworks

2.1 Introduction

To understand international students working in New Zealand, it is first necessary to comprehend how student international education motivations, frameworks of peripheral, precarious and vulnerable workers, and job quality measurements have been explained theoretically in the literature. Presenting the theoretical underpinnings to explain the ways of understanding the research phenomena is therefore essential for reviewing the literature. Hence, the literature review is divided into two chapters, this chapter elucidating the research's theoretical basis contributing to development of a conceptual framework

The chapter is structured as follows. Section 2.2 discusses the development of migration and labour market models, focused on international students. Section 2.3 considers the development of the *Push-Pull factors* framework showing influences on international student mobility. Some influences identified include academic achievement, economic rewards over time, social and cultural advantages and cross-cultural experience, and political benefits including higher social recognition.

A significant volume of research acknowledges migration as a factor influencing employment experiences, while labour market models may explain particular employment characteristics. Presented sequentially, section 2.4. begins with *Atkinson's Flexible Firm Model* (1984) to explain the primary and secondary labour market. The primary labour market is characterised by employment stability, progression opportunities, and functional flexibility. In contrast, the secondary or peripheral labour market has lessened protection through numerical flexibility, with limited conditions and progression.

Burgess and Campbell's 1998 article, *The Nature and Dimensions of Precarious Employment in Australia*, seeks to measure employment quality in Australia. As an Antipodean model, this can be assumed to be transferable to New Zealand workplaces, given the comparability between the countries and the measurement standards. This framework seeks to build a nonhierarchical measurement of labour insecurity for all workers, a measurement that can be applied to international students.

The next model specifies layers of vulnerability in occupational safety and health for migrant workers, from case studies from Canada and the UK (Sergeant & Tucker, 2009).

Focusing on layers of levels of vulnerability, the sequential layers seek to measure factors that affect health and safety outcomes for migrants working overseas. This model is relevant in terms of the multiple vulnerabilities' migrants experience in their working lives.

Following, Vidal's labour process theory (2013) seeks to measure quality of work linked to labour processes. The typology provides a framework for analysing upgrading or downgrading of four aspects of employment quality within and across four generic labour processes. By categorising job types, he seeks to measure job quality within these categories. For the purpose of this research, all respondents (n = 483) will be analysed within these frameworks to seek to provide a measurement of their working experiences during and post study. Finally, literature conceiving migrants as vulnerable workers is presented.

Although the five models and frameworks presented are situated within time and differential measurement specificity, all add value to this research in terms of attempting to elucidate working conditions of international students. The following section discusses the measurements important for consideration of international students working.

2.2 A Framework for Understanding International Students Working?

While numerous migration and labour market models seek to explain migration and working characteristics in varying forms, no models to date have sought to specifically explain international students working although migration status has become an important investigation category. However, until more recently, international student migration (ISM) was an under-explored component of global migration flows and trends, and much of the data collected consisted of statistical measures rather than descriptive inquiry (see OECD, 2009; UNESCO, 1999). Indeed, of significance was the recognition only in 2008 of the importance of ISM in global migration dynamics. In the International Organisation for Migration's periodic *world migration reports* (IOM, 2008, pp. 105-123), ISM is seen as difficult to conceptualise due to the temporary nature of this migration type, where most students return to their home countries.

With the rapid increase in ISM and associated outcomes, there is now an extensive body of literature on the topic, primarily over the last decade, but limited modelling to explain theoretical phenomena. King and Sondhi (2016) argue that ISM presents characteristics that may differentiate international student migrants from migrants more generally in

terms of motivation and potential permanence in the host country. They base this view on an economic perspective, assuming “students do go abroad as rational economic actors seeking to maximise utility in its various forms” (King & Sondhi, 2016, p. 4). Secondly, they see “ISM as both a product and an underlying mechanism of the globalisation of higher education.” (King & Sondhi, 2016, p. 5). Nevertheless, while employment is mentioned in terms of a reason to migrate/stay/return, it has limited focus in ISM literature compared with migration literature in general. This may be because the primary visa entry category of international students is education rather than work, and research in this area encompasses many variables that can be difficult to separate.

There has been a more significant volume of research theorising the conditions of migrant labour. In common with ISM the investigation has been interested in documenting the empirical behaviour of wages, employment, and unemployment from an economic perspective and in building models to help understand the forces that shape these outcomes (Amuedo-Dorantes & Pozo, 2006; Friedberg & Hunt, 1995; Rogerson, Shimer, & Wright, 2005). While supply and demand in the labour market may be useful for discussing some issues, many important questions, such as the role of policy in influencing supply and demand, and the dependence of some employment sectors, are not easily addressed with this approach. Still, using the tools of analysis, labour market models can sharpen thinking about competing models and allow us to assess their explanations.

Given that the international students are deriving income with their own labour as the source, a research paradigm that seeks to capture immigration and labour market characteristics is particularly relevant to the research focus. For example, an investigation into precarious migrant work may focus on immigration controls and entrance categories (see Anderson, 2010), while worker experiences could focus on health and safety and employment outcomes (see Ahonen, Benavides, & Benach, 2007).

Nonetheless, as ways to explain the multiple phenomena related to this thesis, analysis of a variety of models rather than one was seen as more appropriate. The first seeks to explain motivations for migration, narrowed to international students. The *Push-Pull Factors Framework* is presented in the following section.

2.3 Push-Pull Factors Influencing International Student Destination Choice

The movement of international students has been recognised as an increasingly important component of the international migration system (Szelenyi, 2006), but, while contextual information has been fast growing, theorising ISM has been a more recent development. However, migration more generally, explained through influences pushing from the home country to a host destination, has been evident in the literature for over a quarter of a century. In 1992 McMahon studied the flow of international students from developing countries to developed countries during the 1960s and 1970s by using an outbound ‘push’ model and an inbound ‘pull’ model. The ‘push-pull’ model suggested that overseas students are ‘pushed’ out of their home countries and ‘pulled’ to a particular study destination by a variety of factors. Altbach (1998) discussed this model for international student mobility in his book *Comparative Higher Education: Knowledge, the University, and Development*, identifying that some students were pushed by unfavourable conditions in their home countries, while others were pulled by scholarships and other opportunities in host countries.

A more detailed analysis was conducted by Mazzarol and Soutar in 2001, focusing on the mobility of students from Taiwan, mainland China, India, and Indonesia. In addition, the nature of cross-border flows has been studied by Mei Li and Mark Bray (2007) in relation to the ‘push pull’ factors determining the motivations of Chinese students in Hong Kong and Macau. Further, the impacts of student mobility for both sending and receiving countries have been investigated with regards to the management of international student mobility in a study by Cate Gribble in 2008. Although each article has added various elements to the original conceptual framework, Mazzarol and Soutar (2002) ask as a basis for exploration the question “Why do students choose to study overseas?” (p. 82). These factors as a potential foundation for analysis are presented below.

2.3.1 The Push Factors

Mazzarol and Soutar (2002) propose that the conditions in home countries set up the circumstances that ‘push’ individuals to seek educational opportunities abroad and form the basis of students’ motivation to study overseas. ‘Push’ factors are generally related to economic, educational, social, and political situations within the home country (Mazzarol & Soutar, 2002; Zhou, Jindal-Snape, Topping & Todman, 2008). Students may have been pushed out of their home countries by unfavourable social conditions, political circumstances, or other restrictions at home (Altbach, 2004), while other

students have sought education opportunities overseas for the desirability of an international education or because they are unable to access the chosen qualification or institution in the local education system (Gribble, 2008). Consequently, the primary 'push' factors influencing a student's decision to study overseas are:

1. academic achievement such as overseas qualifications (Altbach & Knight, 2007; Marginson & van der Wende, 2007)
2. economic rewards over time such as improved prospects for future employment and higher income earnings (Reay, David, & Ball, 2005; Waters, 2009)
3. social and cultural advantages such as international exposure, cultural awareness, and cross-cultural experience (Pyvis & Chapman, 2007)
4. political benefits including higher social recognition (Cubillo, Sanchez, & Cervino, 2006; Li & Bray, 2007).

These factors will have varying importance according to characteristics such as course of study, length of course, host-country features, and individuals' goals after completion of study. While some may seek the recognition of an overseas qualification, others may look for an experience of living in another country or may even wish to settle in the host country longer term. Suffice to say, motivations are myriad and will have considerable impact on the choices made by international students in terms of their study and work. For example, research has shown a strong driver for Chinese students to meet parental expectation (Lu, 2006), the opportunity to access global academic standards, and to increase economic return from their investment in tertiary education (Cebolla-Boado, Hu, & Nuhoğlu Soysal, 2017), whereas Indian students often cite relative ease of admission to overseas institutions (Caluya, Probyn, & Vyas, 2011) and education as a step towards emigration (Altbach, 2013; Baas, 2006, Hawthorne, 2010).

The following section presents the pull factors for international students when choosing where to study overseas.

2.3.2 The Pull Factors

International students are 'pulled' to a study destination by factors that appear attractive, such as a common language, close economic ties, or a political affinity or historical/cultural link between the home country and the study destination (Yang, 2007). Mazzarol and Soutar (2002) identify six 'pull' factors that may influence students' decisions about their study destination, backed by other research investigation:

1. Students' general knowledge and perceptions of the study destination and its education system, including accessibility of information about the study destination. This point iterates the importance for education providers of providing comprehensive information on their own and relevant education marketing websites, and through their overseas representatives as well as regular attendance at education fairs in the target student markets (Chou, 2014).
2. Referral or recommendation students may have received through 'word of mouth' of parents, families, relatives, friends, or other sources is the second factor. The international education industry is acknowledged to be extremely reliant on positive recommendations, and negative publicity has often been followed by a fall in student numbers in key markets (Butcher & McGrath, 2004, Rodan, 2009).
3. Costs and benefits consider the 'return on investment' of international study. The cost considerations include financial costs during study, and the timeframe to complete the academic programme in the study destination. Economic considerations, including currency exchange rates between the home country and the study destination, can be an influential factor, while the availability of scholarships, student work rights, and future employment prospects are also considerations for international students and their families (Cubillo et al., 2006).
4. The fourth 'pull' factor is the study destination's environment. This includes the study 'climate' and lifestyle in the host country. Treatment of foreigners, climate, safety, and crime rate may also be a strong influence, and local and international media can play a role in decision-making.
5. Geographic proximity relates to the distance (geographic and in time) between the home country and the study destination. Distance is considered statistically significant and acts as a migration cost (Jena & Reilly, 2013).
6. The final factor is the social link, whereby students have family or friends living in the study destination and/or a family member or friend who has previously studied there (Zhou et al., 2008). The existence of an established population of students from the same country may make adapting to a new environment easier and potentially offer a support network.

In addition to these six factors suggested, other researchers have indicated that immigration policies in the study destination can also be considered influential (Abbott & Silles, 2016, Kothari, 2003; Lucas, 2004). In particular, the desire of international students to immigrate to the host country that has been identified as one of the most important influences for students from developing countries deciding to undertake

international education in a developed country – potentially both a push and pull (Baas, 2006; Jackling, 2007). Consequently, access to the labour market during and after study is also a powerful influence on student decision-making (Chen, 2002; Hawthorne, 2008).

Li and Bray (2007) argue that if there are forces pushing students out of their home country there will be forces exerted from the opposite direction to keep students at home. Therefore, the one-way ‘push-pull’ model can be expanded by reversing the ‘pushing’ and ‘pulling’ forces between the home country and the study destination to indicate decision-making priorities. These ‘pull’ factors may include understanding of the local education system and employment environment, desire to stay with families and friends, and established professional networks.

The ‘push’ forces that may act to deter students from going overseas for study include increased tuition fees and living expenses from overseas study, uncertainty students may feel about the future, restrictive government policies or immigration requirements in the study destination, or negative publicity about the study destination.

On the surface, this model appears self-evident and has been used by scholars to explain migration situations in their respective countries (see Akman, 2014; May et al., 2006). Numbers of early studies saw lower income, poor living standards, and political instability in China as the push factors, and economic resources and political freedom in the developed countries as the pull factor (Bolaria & von Elling Bolaria, 1997). In addition, expansion of a globalised knowledge economy makes a few highly developed countries very attractive for students from developing countries because the technologies and qualifications from these countries are perceived as more competitive in the labour market.

However, this approach is unable to explain the two principal differences in the origin of migration sources. Firstly, it cannot explain differences in the size and directionality of migration flows. Secondly, individuals who may be within the same region and with similar socio-economic backgrounds will show differences in inclination to migrate (Lu, 2006). Thirdly, the model also does not capture in any depth international student working choices or characteristics while in their host country, viewing students making choices at a relatively superficial level. The exclusion of the micro-level decision-making process is also problematic as many students are grappling with day-to-day realities and may not be making ‘big’ decisions as supposed by the pull factors, but rather a series of small ones. Therefore, the weighing of the *push-pull* model assumes a

dominance of one side or the other in decision-making that will tip the balance — a shallow approach for making complex decisions. Moreover, overseas students have individual characteristics of gender, age, academic ability, aspiration, social capital, and socioeconomic status so will rarely respond to similar influencing factors in the same way (Chen, 2002; Li & Bray, 2007)

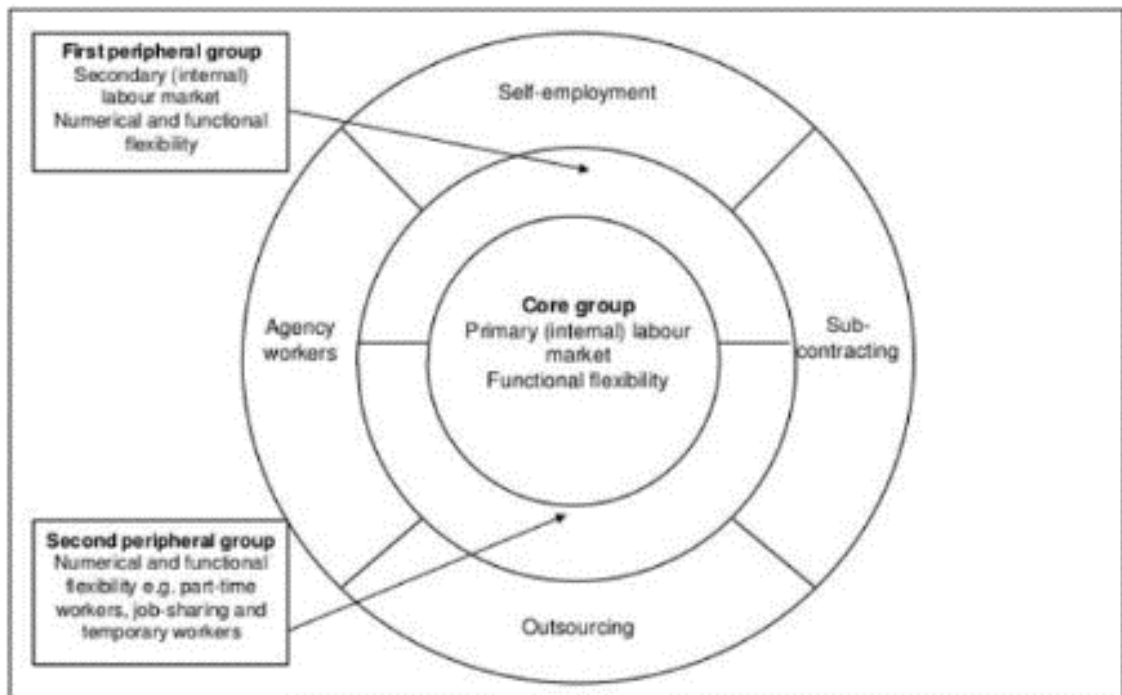
2.4 Atkinson (1984). Manpower Strategies for Flexible Organisations

In the theory of dual labour markets, Doeringer & Piore (1971) describes two labour markets where paid work falls into either the primary or secondary sector. Jobs in the primary sector are conceived of as *good jobs* characterised by high wages, job security, substantial responsibility, and *ladders* where internal promotion is possible. Jobs in the secondary sector are menial, characterised by low wages, with casual attachments between workers and firms. Atkinson's Flexible Firm Model (1984) further develops this demarcation of work characteristics and protection.

Although seen as emblematic of a time of neoliberal labour market reforms characterised during Thatcher and Reagan's regimes², the model has had a strong and ongoing influence on the research on atypical work arrangements and has entered common academic parlance. The employment core is characterised as containing the more regular workers, with relatively favourable conditions of employment and opportunities, while the periphery group has a more casual employment relationship with worse employment conditions. Four dichotomies capture the essence of this model, discussed in the following section.

² New Zealand's economic reforms were also emblematic of neoliberal reform during this time although labour market deregulation commenced in the early 1990s (see Jesson, 1999; Larner, 1997 Silverstone, Bollard, & Lattimore, 1996 for further discussion).

Figure 2.1. Atkinson's Core and Periphery Labour Market Model



Source: Atkinson (1984) in Davies & Horan, 2016.

2.4.1 Flexibility

Combining functional and numerical flexibility is the essence of the core-periphery model. Segmenting the organisation's workforce into 'fixed' and 'variable' components is assumed to achieve cost effectiveness as the numerically flexible, non-standard, 'peripheral' workers are used to buffer or protect the regular, 'core' labour force from fluctuations in demand (Sheikh, 2008). Functional flexibility "is sought so that employees can be redeployed quickly and smoothly between activities and tasks" (Atkinson, 1984, p.4). Numerical flexibility "is sought so that headcount can be quickly and easily increased or decreased in line with even short changes in the level of demand for labour" (Atkinson, 1984, p. 4). Labour flexibility is "often associated with insecurity and precariousness." (Burgess, Connell, & Rasmussen, 2005, p. 351)

2.4.2 Importance to the Firm

The firm in Atkinson's framework is considered to have two parts: a core, consisting of those employees most vital to the firm, and the periphery, consisting of those employees considered less important. Kalleberg (2001) suggests that organisations seek to establish long-term employment relations with the 'core' - the regular, permanent workers who are highly trained, skilled, and committed to the organisation - and a demand buffer of external flexibility is provided by a group of temporary and other non-standard workers. Therefore, while those in the core are protected and fairly compensated, those who sit in

the periphery often have insecure and poorly paid jobs and relatively little commitment to the organisation (Atkinson 1984, p. 31; Ward, Grimshaw, Rubery, & Beynon, 2001; Houseman, Kalleberg, & Erickcek, 2003).

2.4.3 Employment and Contract Relations

In the core, functional flexibility is vital. Here, the firm seeks to establish long-term relations with highly skilled, committed employees. These valued workers are offered opportunities for progression and work security. In the periphery, numerical flexibility is vital, and numbers may be varied according to demand. The peripheral workforce consists of variable components, where atypical arrangements such as self-employment, temporary employment, agency workers, and outsourcing of activities and services are used.

2.4.4 Labour Market Segmentation

The core group belongs to the primary labour market, characterised by high-wage paying jobs, social protection, and longer-lasting careers. In contrast, the peripheral group belongs to the secondary labour market of low-wage paying jobs, limited mobility within jobs, and temporary careers. This is discussed in more detail than the previous sections as this segmentation is emblematic of all the models discussed — where international students are not considered the norm as a typical worker³.

The flexible firm model suggests that organisations retain and develop an inner layer of core employees who possess high-level firm specific skills (Casey, Metcalf, & Millward, 1997; Hakim, 1990). Atkinson (1984) differentiated between an inner core of employees with high levels of task flexibility and an outer core of peripheral employees, and beyond the organisation a use of self-employed, subcontract, and agency temporary staff. An outer core group belongs to the primary labour market, an inner core of employees with high levels of task flexibility, giving workers opportunities to move between jobs and seniority (Atkinson, 1984). The peripheral group belongs to the secondary labour market, where a low job-security environment is characteristic of the *disposable workforce*. The secondary market often refers to jobs external to the organisation, where the working conditions may be characterised by lessened worker protection and opportunities, and these workers may be part time, job share or temporary. Migrants have become emblematic of this workforce (Anderson, 2010; Bauder, 2006; Garson,

³ See Section 3.13. for further discussion.

1999, and, more recently, international students (Anderson et al., 2011; Anderson & Naidu, 2009; Clibborn & Wright, 2018; Zaman, 2004).

Research on atypical employment arrangements emphasises that these practices are means to lower costs and increase the firms' ability to reduce or expand their workforce in response to changing market conditions (Grimshaw et al., 2001; Kalleberg, Reskin, & Hudson, 2000; Nesheim, 2003). Further to the goal of adjusting employment to demand, a strategic use of temporary agency employment can also provide employment stability to regular core employees in terms of job protection - mirroring the core-periphery segmentation associated with the flexible firm model (Atkinson, 1984).

Ongoing debates about the core-periphery model have focused mainly on whether it is an accurate representation of employers' labour utilisation strategies. Findings from research carried out at the end of the 1980s and the beginning of the 1990s (Gallie & White, 1995; Hakim, 1990; Hunter & McInnes, 1992; Millward, Stevens, Smart, & Hawes, 1992) concluded that there was little evidence of strategic 'core/periphery' human resource policies or practices during that period. However, evidence suggests that the period after 1992 may have been characterised by increasing pursuit of such employment flexibility, where the "strategic use of segmented labour force strategies among major employers has developed strongly in the 1990s" (Purcell & Purcell, 1998, p. 39). Deteriorating conditions of employment in many sectors (discussed in more detail in the following chapter) has been an ongoing trend since this discourse emerged. This trend is characterised by the emergence of non-standard work, lessened employment protection, and reduced permanence of roles (Davis-Blake, Broschak, & George, 2003; Hodson, 2001; Kalleberg, 2000).

These significant structural changes necessitate a renewed appraisal of the ongoing relevance of Atkinson's model. In terms of this research, the researcher argues that for international students the relevance of this model may be twofold. Firstly, extensive research has contended that migrants often do work that is peripheral and struggle to transition to the core in terms of job quality, opportunities, and protection. Secondly, while it is posited that there is increased labour market segmentation more generally, instances of international students working core jobs under peripheral conditions challenge the veracity of the hierarchy of core-periphery.

Building on the concept of a core and periphery of working conditions, the next theoretical model explores how to define precariousness. Previously discussed, Atkinson

(1984) categorises those in peripheral employment as having lessened protection and progression opportunities than those in the core, while Burgess and Campbell (1998) look to measure employment quality and argue that precariousness may be evident in both the core and periphery of standard and non-standard work. Their measurement criteria and analysis for Australia are presented in the following section.

2.5 Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia

Burgess and Campbell focused their 1998 article on formulating criteria through which to measure the employment quality in Australia. This discussion was motivated by the decline in the quality of many jobs and a “response to the conjunction of several important developments, including a general decline in employment conditions and in employment security in many countries and the growth of both old and new forms of employment that appear characterised by poor wages and conditions” (Burgess & Campbell, 1998, p. 5), resulting in a more polarised and less secure employment system compared to a generation ago (Kalleberg, 2011). This fragmentation, which Campbell and Burgess argue is “neglected or only poorly grasped through popular metaphors of ‘core’ and ‘peripheral’ workforces” (p. 10), has had negative consequences for job quality.

While the theoretical focus is on the conditions attached to jobs, the characteristics of persons, workplaces, and industries associated with precarious employment conditions can also be accommodated within this framework. Campbell and Burgess (1998) contend that, while the nonstandard work category is heterogeneous, many jobs exhibit characteristics of precariousness and there is a high degree of overlap between non-standard and precarious employment. Additionally, although precariousness is concentrated in non-standard employment, it is not confined to non-standard employment. The authors discuss developing the term precariousness into an analytical concept with two approaches in the term’s development. Firstly, the authors look at approaching the issue from the familiar typologies of employment that distinguish standard and non-standard employment. The concept of precariousness would be applied just to non-standard employment, “either as a loose synonym for non-standard or, more usefully, as a lever for analysing those forms of non-standard employment that appear to be most insecure and can be identified as the main sites of social deprivation” (Burgess & Campbell, 1998, p. 6). Burgess and Campbell favour the second approach of concentrating on developing precariousness as a concept that can be used to assess the attributes of all forms of employment (see Figure 2.2. below).

Figure 2.2. Forms of Labour Insecurity

- **Employment Insecurity**- when employers can dismiss or lay off workers or put them on short time without great difficulty or costs.
- **Functional Insecurity** - when employers can shift workers from one job to another at will or where the content of the job can be altered or redefined.
- **Work Insecurity** - when the working environment is unregulated, polluted, or dangerous in some way, so that the ability to continue to work is at risk.
- **Income Insecurity** - when earnings are unstable, or when transfer payments are contingency based and not guaranteed, or when earnings are close to established poverty lines.
- **Benefit Insecurity**- where access is limited or denied to 'standard' non-wage employment benefits including those covering sickness, holidays, and retirement.
- **Working-Time Insecurity** - when hours are irregular and at the discretion of the employer, or where hours are insufficient to generate a minimum income.
- **Representation Insecurity** - when the employer can impose change in the labour process and refuse to negotiate with trade unions or with other institutions protecting workers' collective interests.
- **Skill Reproduction Insecurity** - when opportunities to gain and retain skills through access to education and training are impeded.

Source: Burgess & Campbell, 1998, adapted from Standing, 1999, p. 425-426, 1997: 8-9, 18-22.

In this framework,

...the concept of precariousness comprises a bundle of measures or employment characteristics, each of which refers to a different type of labour insecurity. This elaborated framework can be used to generate a rough index of employment precariousness' of individual jobs (Burgess & Campbell, 1998, p. 12).

However, the authors acknowledge no ranking of the criteria in terms of significance and the difficulty of ranking, posing the question "Is work insecurity more important than employment insecurity?" Nonetheless, for the purposes of this research, it is possible to rank individual categories within a continuum of precariousness according to the specified criteria, for example, whether income for the job is stable or not. The authors also recognise the framework gives some factors that generate insecurity but at a micro rather than macro level. Subsequent literature on precarious employment has recognised the utility of this approach and is often based on a mix of job characteristics, worker characteristics, and, in some cases, the adverse outcomes that may arise from precarious work (Benach, Muntaner, Delclos, Menéndez, & Ronquillo, 2011; Underhill & Quinlan, 2011).

For international students working, the variety of factors evident in this model have a wide application in terms of both the depth and breadth of correlation. For example, Vosko, Zukewich, and Cranford (2003) use three indicators of precariousness as being union membership, firm size, and hourly wage, finding that forms of employment in

Canada increased in precariousness along a continuum. These authors also cite job insecurity as a key dimension central to establishing whether a job is ‘precarious.’ *All* of these factors can be considered as having varying levels of importance for international students.

While employment arrangements, job characteristics, indicators of precariousness and adverse exposures may overlap to a large degree, the ongoing lack of conceptual clarity (Louie et al., 2006) continues to limit this discourse. Indeed, while the framework has been mentioned in a variety of literature, it has seemingly not been used as a formalised ‘measurement’ system.

This researcher acknowledges the difficulty of establishing a ‘hierarchy of precariousness’, where one characteristic is considered more meaningful than another. To rank and score precariousness seems not only regressive but unhelpful for this discourse. Moreover, with conversations and research reframing and debating the use of terms such as precariousness and vulnerability (see Fashoyin, Ori, Sargeant, & Tiraboschi, 2014; Vosko et al., 2003; Fudge, Tucker, & Vosko, 2002), discussion has developed over time to widen these parameters and the work of such researchers has provided the basis for other extant work.

Vis a vis, the following framework identifies factors for assessing the occupational safety and health vulnerabilities of migrant workers by identifying risk factors. This research expands the duality of core-peripheral to multiple aspects of influence, acknowledging the complexity of measuring vulnerability.

2.6 Sargeant and Tucker (2009). Layers of Vulnerability in Occupational Safety and Health for Migrant Workers: Case Studies from Canada and the UK

Sargeant and Tucker (2009) compare migrants from the Canadian Temporary Foreign Worker Programme and migrants from A8 countries in the United Kingdom to measure their potential vulnerabilities. The purpose of this framework was to assess the OHS vulnerabilities of migrant workers⁴, using a layered approach. This model has as its origin an ILO (2004) conference report, *Towards a fair deal for migrant workers in the global economy*, identifying factors that explain disparities in working conditions among migrant workers and between migrant and national workers. These include “migration

⁴ ‘Migrant workers’ were defined as workers who have migrated to another country to take up work but who currently do not have a permanent status in the receiving country (Sargeant & Tucker, 2009, p. 52).

status, conditions of recruitment, sector of employment or occupation, employment in the informal sector, lack of freedom of association and collective bargaining rights, and discrimination and xenophobia in the workplace” (p. 68). The risk factors divide into three groups:

- i) migration factors
- ii) characteristics related to migrants and their country of origin; and
- iii) receiving country conditions (refer to Figure 2.3.).

Informed by Gravel, Rhéaume and Legendre’s (2009) work on the OHS of migrant workers located in small businesses, another layer, namely *Layer 4: Migrant OHS factors*, has been added to Sargeant and Tucker’s (2009) model in Lamm (2014). The four-layered model will be used in this thesis. More detail on each layer’s risk factors is presented in the following section.

Table 2.1. Layers of Vulnerability

<i>Layer 1 – Receiving country factors:</i> Socio-economic conditions in receiving country, sectors in which migrant workers are employed (e.g. levels of precarious employment and compliance within supply chains); access to, and strength of, collective representation; access to, and strength of regulatory protection; social inclusion/ exclusion; living on employer’s premises; urban/rural location; role of unions/civil society groups, e.g., church and community groups.	↓
<i>Layer 2 – Migration factors:</i> Migration security, such as existence of legal status in receiving country; visa or non-visa status; whether status tied to contract of employment as well as the duration and conditions of right to remain. Role of recruitment agents and employers in migration process and the treatment of migrants.	↓
<i>Layer 3 – Migrant worker factors:</i> Reasons for migrating, such as the socio-economic conditions in home country. The education, language, and skill levels of the migrant. The availability of and access to decent work. Remittances home.	↓
<i>Layer 4 – Migrant OHS factors:</i> management and commitment to OHS as well as the wellbeing of staff; level of compliance, effective OHS management systems, Health and safety worker representatives, level of understanding or effort made to educate in migrant groups first language.	

Source: Sargeant and Tucker (2009, in Lamm, 2014, p. 168)

2.6.1 Layer 1 – Migration Factors

The migration status and recruitment conditions of migrant workers are presented as factors of vulnerability in this layer. The authors contend that the migration status of workers in the countries in which they are employed can be a significant OSH risk factor in terms of determining their formal entitlement to legal protection, and (im)migration status may significantly influence migrants’ ability and willingness to enforce their rights. While the existence of a conditional opportunity to obtain permanent status may be

thought to increase a worker's migration security, it may provide a further opportunity for exploitation by an employer during the period in which the worker is trying to meet visa or residency conditions. Recruitment agents can also influence the willingness of workers to exercise their rights and this may exacerbate OSH vulnerabilities. For example, those on a work visa that is conditional on an employer may be less likely to complain about poor work conditions than those who have no employment dependency. Inter-governmental agreements between sending and receiving countries or other international agreements can have a significant impact on the protection of migrant workers. Such agreements' efficacy, however, relies on effective enforcement capability.

Particularly relevant for this research is the visa conditionality governing international students' study and work in New Zealand. Immigration status during and after study along with limited work rights limit the opportunities the students may have. While recruitment agents have a minimal role in the migration security of international students, due to the students' immigration status conditional on undertaking study in the host country, education agents can have a strong role in promotion and decision-making in the home country about study location. Further, domestic recruitment agents in the host country may act as a broker of employment within ethnic communities, or through educational institutes.

2.6.2 Layer 2 – Characteristics of Migrant Workers

Sargeant and Tucker propose that of importance in this layer are the socio-economic conditions in the home country, education and skills levels, and language skills. They also contend that significant differences exist:

...between migrants who move between countries of the global north and those who migrate from the global south to work in the north. For workers coming from poor countries, the opportunity cost of losing their jobs – even if those jobs are not considered good jobs by national workers in developed countries – is significantly higher than for those workers who can return home to jobs that are comparable (p. 54).

This may lead to workers attempting to increase their short-term income by working extra hours, multiple jobs or accepting poor working conditions, where workers without legal status are the most vulnerable. The outcome may be unwillingness by workers to enforce their rights “thereby increasing their risk of work injury, illness or disablement” (Sargeant and Tucker 2009; p. 53). Education, language capability, and skill levels can also influence OHS vulnerabilities in a variety of ways such as limitation of labour market

opportunities in both the sending and receiving country, and the ability to exercise control over their work conditions. A lack of OHS training combined with a lack of language comprehension will create obvious OHS vulnerabilities, such as understanding legislation, reading warning signs, and communicating concerns to managers and other employees.

This thesis proposes that as the two biggest international student groups in New Zealand come from developing countries (India and China), many are seeking opportunities that extend beyond a New Zealand education. A significant group will engage in work, whether by necessity or choice, and may have exposure to unsafe work environments. With English not necessarily their first language and limited work opportunities, multiple vulnerabilities are evident.

2.6.3 Layer 3 – Receiving Country Conditions

Receiving country factors describe the conditions in the host country. Migration status, the characteristics of employment and industry sectors, as well as “access to collective representation; access to regulatory protection; and problems of social exclusion/social isolation” (Sargeant and Tucker (2009, p. 4) are a key focus of this research. Firms into which migrant workers are recruited can have a major impact on their vulnerabilities, and a significant volume of research shows migrant workers are disproportionately working in more hazardous employment situations than host-country nationals (see Jayaweera & Anderson, 2008; Loh & Richardson, 2004; Quinlan et al., 2001). These ‘dirty, dangerous and demeaning’ jobs (Connell, 1993; Sivakumaran, 2004) have long been difficult to fill domestically due to their undesirability, and migration categories have been created to help ‘fill’ some shortages in many countries⁵ — New Zealand included.

The authors argue that while union membership may not guarantee better OHS outcomes it may provide access to information and knowledge about OSH risks, representation in pursuing OSH concerns with the employer and regulatory authorities, and greater job security. Investigation has shown all these factors may lead to better worker safety. Within the tripartite structure of the ILO and negotiation provisions under the Employment Relations Act 2000 in New Zealand, union members may have more opportunity for their opinions to be heard and to gain improved workplace conditions

⁵ In New Zealand, the Recognised Seasonal Employer (RSE) scheme allows the horticulture and viticulture industries to recruit workers from the Pacific for seasonal work when there are not enough New Zealand workers. Many countries have similar schemes, for example, in Australia the Seasonal Workers Programme (Underhill & Rimmer, 2016). The UK, France, Spain, and Italy have their own forms (LopezSala et al., 2014).

overall. Thus, this study will investigate union membership, in addition to employment sectors and regulatory protection.

In contrast to the first two labour market models, this is the only model presented that has migration as a key characteristic because migration is at the centre of the framework as a primary vulnerability factor. In addition, the layers reflect ‘push’ and ‘pull’ factors in common with the first framework presented in this chapter: *Push-Pull Factors Influencing International Student Destination Choice*.

Similar to Burgess and Campbell’s (1998) vulnerability layers, this framework has indicative factors of vulnerability, but no ranking is given within the levels. Nonetheless, this model adds and acknowledges further layers of complexity in a big picture view, looking at the macro and meso levels of policy settings. These layers or structures of vulnerability will vary among different groups of migrant workers but “...by identifying worker heterogeneity and risk factors, reform recommendations can be given” (Sargeant and Tucker (2009, p. 51).

The final model widens the lens again to *all* workers. Its focus is on characteristics of work and the implications of postfordist job quality measures for protective labour laws and for occupational health and safety regulation.

2.7 Vidal (2013). Low-Autonomy Work and Bad Jobs in Postfordist Capitalism

Vidal (2013) constructs an analytical framework intended to measure quality of work linked to labour processes. The typology provides a framework for analysing upgrading or downgrading of four aspects of employment quality within and across four generic labour processes. Vidal seeks to reframe job quality measurement, arguing that academic researchers have primarily focused on managerial choice regarding employment strategy. He argues the contrast between high-road (quality/training/high-wage) vs. low-road (relentless cost cutting) strategy has generated important insights on job quality and labour market outcomes, but remains

...highly descriptive and there has been little attempt to develop theoretical analysis of how disparate trends in job quality – including ongoing structural demand for low autonomy labour – may be understood as part of the systematic, institutional transformation of capitalism (Vidal, 2013, p. 589).

With an increase in non-standard work across global economies (see Chapter Three), discussion about job quality measurements has come to the fore, with several studies

focusing on the job characteristics. Clark (2005) used six measures: pay, hours of work, future prospects (promotion and job security), how hard or difficult the job is, job content (interest, prestige, and independence), and interpersonal relationships. Green (2006) presented an in-depth discussion of various measures, also focusing his analysis on six measures: skill, effort, discretion, pay, risks and security, and job satisfaction. Sengupta, Edwards, & Tsai (2009) used five indicators: pay, security, the opportunity for training and promotion, the extent of work intensification or stress, and autonomy. Kalleberg (2011) examined four broad aspects: pay and fringe benefits (including flexible work time options and whether a job provides opportunities for increasing earnings over time), control over tasks, intrinsic rewards, and time at work. These measurements have commonality with the frameworks prior, particularly in terms of attempting to understand working conditions related to vulnerability (pay, risks and security/hours of work, and opportunities for pay and promotion).

Vidal (2013) seeks to further expand this discussion around job quality. His framework of job quality analysis is based on “a critically reconstructed regulation theory of Fordism and Postfordism” (Vidal, 2013, p. 589). He suggests that changes in organisation of production, employment, and work that are currently taking place do not constitute a transition to a new 'postfordist flexibility' but pre-Fordist and Fordist⁶ methods of production. Argued is that businesses maximise their profits by off-loading indirect costs and forcing negative effects on a third party (similar to Atkinson’s (1984) *core-periphery*). This externalisation of risk is seen to have a direct theoretical relation to four employment conditions: pay, security, opportunity for training and promotion, and work intensification (effort/pace). In this framework, Herzberg, Alic, and Wial’s (1998) typology of four generic labour process types of high-autonomy, semiautonomous, tightly constrained, and unrationalised labour-intensive is expanded with some slight adjustments in the definitions:

- *High-skill autonomous* is work that typically requires university education and often postgraduate education, and the task/authority environment allows significant discretion in decision-making. Relevant job types are executives and professionals.
- *Semiautonomous* work like supervisors and secretaries may be semi- or high-skilled, requiring either extensive job-specific, vocational and/or university

⁶ This can be explained as a method of organising production, or in the broader sense of a pattern of production and consumption (Vidal, 2013).

training. The task/authority environment requires moderate levels of decision-making but still may be fairly standardised.

- *Tightly constrained* work such as machine operators and clerical workers is low or semi-skilled, requiring either job-specific or limited vocational training. The task environment is highly standardised, and work is paced by machine technology, customer pressure, or flow of work.
- *Unrationalised labour-intensive* work such as the work cooks and caretakers do is low skilled in terms of required vocational training or education and is not susceptible to machine pacing or quality monitoring.

Based on the above categories and job coding from the Household Labor Force Survey (US), Vidal categorises work quality based on the measurements from time periods 45 years apart to show breakdown in employment by generic labour process time. As can be seen in Table 2.1, while high-skill autonomy has increased significantly as a total share of employment, semiautonomous, tightly constrained, and unrationalised labour-intensive jobs have had insignificant movement – meaning most workers have not experienced great improvement in their working conditions despite major technological developments.

Table 2.2. Employment by Generic Labour Process Type 1960, 2005

	1960		2005	
	Share of total employment (%)	Average annual income (2005 dollars) ^a	Share of total employment (%)	Average annual income (2005 dollars) ^a
High-skill autonomous	28–33	\$43,722	38–39	\$67,080
Semiautonomous	28–30	\$27,158	26–27	\$32,673
Tightly constrained	8–9	\$23,484	6–7	\$20,615
Unrationalized labour-intensive	31–33	\$13,839	28	\$17,046

Source: Vidal (2013, p. 598).

Vidal posits that Fordism and postfordism accounts for dominant tendencies in job quality within generic labour process types, enabling for variation within individual organisations. The following section explains the job quality categorisation and generic labour processes for the analytical framework.

2.7.1 Generic Labour Processes and the Quality of Employment: An Analytical Framework

Vidal combines the four employment quality attributes with the four generic labour processes to produce the typology of 18 jobs presented in Figure 2.4. The values represent a classification of all feasible variations of job quality attributes within each generic labour process, which are then ordered into one of three broad job quality types that reduce to one of three job quality categories: *good jobs*, *decent jobs*, and *bad jobs*. Of significance is the acknowledgement that, while the debate has largely focused on a dichotomy between good vs. bad jobs, most jobs have mixes of good and bad characteristics. Therefore, this model proposing a typology between good, bad, and ‘ordinary’ jobs. The categorisation is relevant for this research in terms of international students’ access to Decent Work as characterised by the ILO:

- *Good jobs* are those that offer some autonomy with relatively high wages and security or have low autonomy but offer relatively high wages, security, and opportunities for training and promotion (OTP).
- *Decent jobs* include semi-autonomous jobs that are relatively high wage and secure but without opportunities for promotion, and low-autonomy jobs that are either relatively high-wage and secure or low-wage but secure with opportunities for promotion.
- *Bad jobs* are those that are low-wage and dead-end with no opportunities for training and promotion; relatively high-wage but dead-end and insecure; or relatively high-wage but dead-end and are categorised as semiautonomous jobs that are relatively high-wage and secure but without opportunities for promotion, and low-autonomy jobs that are either relatively high-wage and secure or low-wage but secure with opportunities for promotion.

The distribution of work systems across these three job quality categories is further detailed:

- *Good jobs* (1-4) have commonalities in terms of greater autonomy than other labour processes, and security. It is assumed that they will offer high wages, and that they inherently offer intrinsic rewards, so do not require additional training and promotion opportunities. These jobs may be intense but, being at the top of the labour market, are likely to trade intensity for high wages and intrinsically rewarding work. For similar reasons semiautonomous work is considered good if it has relatively high wages and security. Tightly constrained (routine manual

labour) and/or non-routine manual unrationalised labour intensive with OTP in addition to high wages and security offers a proverbial ‘trade off’ of job quality for extrinsic rewards.

- *Decent jobs* (5-9) are characterised by lower autonomy when compared to good jobs. However, semi-autonomous work is considered good if it has relatively high wages and security but no OTP. Tightly constrained and unrationalised labour-intensive jobs are both considered to be good jobs if they offer relatively high wages, security, and OTP; high wages and security, but not OTP, or if they offer security and OTP but have low wages, under the assumption that OTP will lead to higher wages and more intrinsically rewarding work.
- *Bad work* (10-18) is the largest category with greatest variation in lack of autonomy. Because semi-autonomous work is assumed to offer fewer intrinsic rewards and lower wages than high-skilled autonomous work, a job is considered to be bad if subject to high levels of intensification. Jobs are bad if they are intense, offer relatively high wages but no security or OTP, or if they have low wages and no OTP.

While Vidal uses this model to conceptualise the American labour force, he argues that all or part of this model can be used in differing circumstances. The table provides a framework for understanding the full range of possible job outcomes in terms of labour processes and employment quality. Table 2.2 can be used in three main ways for analysing job quality: in terms of the three broad job quality categories; how the employment quality indicators vary within generic labour process types (based on institutional context and managerial choice); and whether one type of generic labour process can be transformed into another through managerial prerogative; as well as tailoring for investigation on various questions and contexts.

For the purpose of this research, respondents (n= 483) were categorised through the Australian and New Zealand Standard Classification of Occupations (NZSCO), consistent with Vidal’s revision of occupational classification and his re-coding Herzenberg et al.’s (1998) labour process coding (Vidal, 2013, pp. 606-609). The 18 job quality categories proposed by Vidal aid analysis of job quality of the international student participants during and post study (see Table 2.3.).

Table 2.3. Eighteen Job Types

	Labour process	Employment relations				Largest detailed occupations within labour process type
		High wages	Security	OTP	Intense	
Good jobs						
1	High-skill autonomous	Y	Y			High-level managers; registered nurses; customer service reps, investigators and adjusters, except insurance.
2	Semiautonomous	Y	Y		–	Sales supervisors; sales persons; secretaries; primary school teachers.
3	Tightly constrained	Y	Y	Y	–	Assemblers & machine operators; clerks; cashiers.
4	Unrationalized labour-intensive	Y	Y	Y	–	Cooks; nursing aides, orderlies & attendants; janitors.
Decent jobs						
5	Semiautonomous	Y	Y	–	–	Sales supervisors; sales persons; secretaries; primary school teachers.
6	Tightly constrained	Y	Y	–	–	Assemblers & machine operators; clerks; cashiers.
7	Tightly constrained	–	Y	Y	–	Assemblers & machine operators; clerks; cashiers.
8	Unrationalized labour-intensive	Y	Y	–	–	Cooks; nursing aides, orderlies & attendants; janitors.
9	Unrationalized labour-intensive	–	Y	Y	–	Cooks; nursing aides, orderlies & attendants; janitors.
Bad jobs						
10	Semiautonomous	Y	Y	–	Y	Sales supervisors; sales persons; secretaries; primary school teachers.
11	Semiautonomous	Y	–	–		Sales supervisors; sales persons; secretaries; primary school teachers.
12	Semiautonomous	–	–	–		Sales supervisors; sales persons; secretaries; primary school teachers.
13	Tightly constrained	Y	Y	–	Y	Assemblers & machine operators; clerks; cashiers.
14	Tightly constrained	Y	–	–		Assemblers & machine operators; clerks; cashiers.
15	Tightly constrained	–	–	–		Assemblers & machine operators; clerks; cashiers.
16	Unrationalized labour-intensive	Y	Y	–	Y	Cooks; nursing aides, orderlies & attendants; janitors.
17	Unrationalized labour-intensive	Y	–	–		Cooks; nursing aides, orderlies & attendants; janitors.
18	Unrationalized labour-intensive	–	–	–		Cooks; nursing aides, orderlies & attendants; janitors.

Notes: High wages = living wage; Security may be job or occupational; OTP = opportunities for training and promotion; Intense = where work is or has been intensified to a degree not offset by high wages.

If a work system has a given practice, it is noted with a 'Y', if it does not have the practice, it is noted with a '–'. If there is nothing in a cell, the work system may or may not have the practice. The typology is meant to be exhaustive of all possible combinations for which there is a conceivable really existing job in the US.

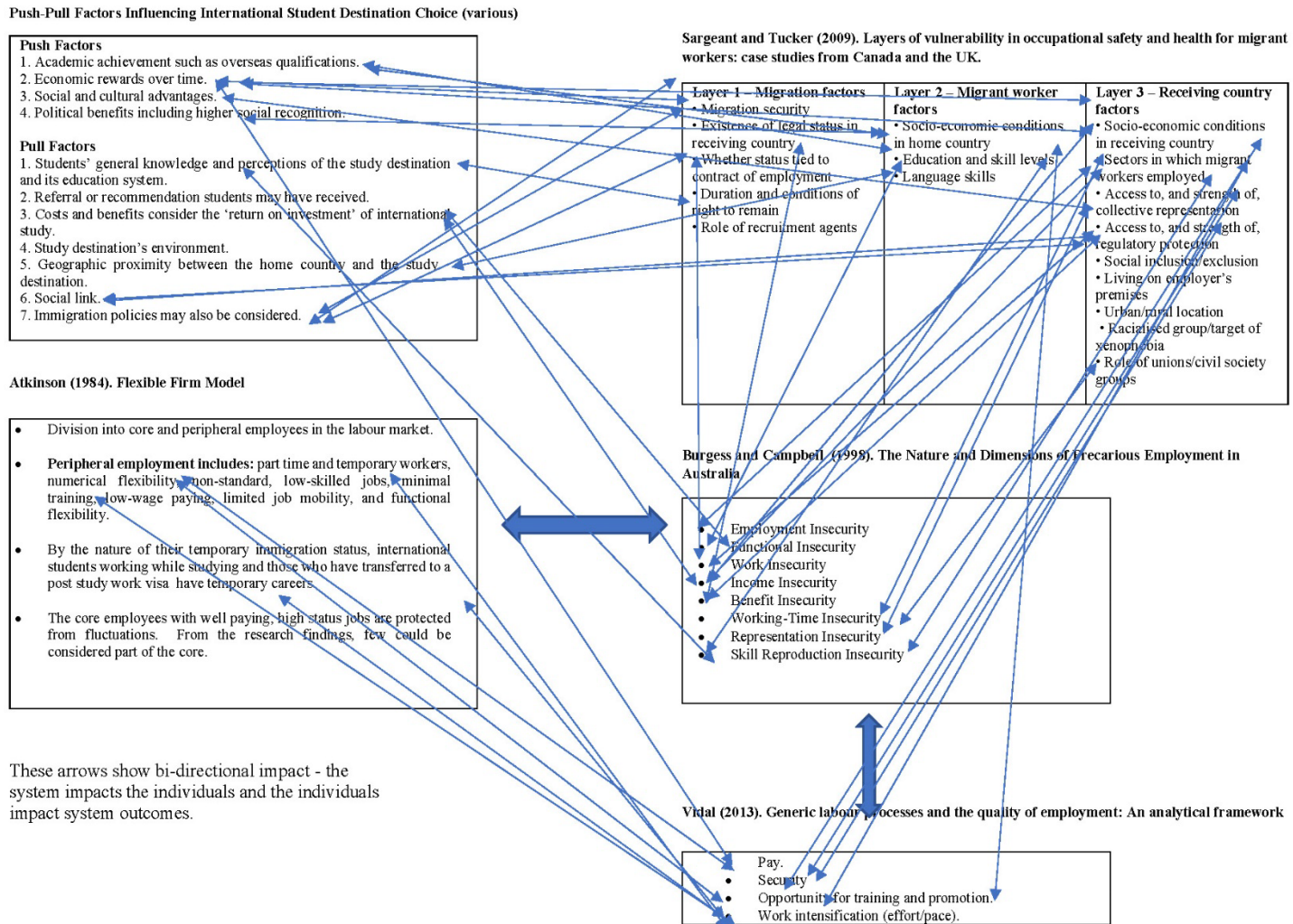
(Source: Vidal 2013, p. 601)

While analysis of job quality is a major factor in determining whether international students can transition to better work opportunities and engage in Decent Work, some weaknesses emerge in terms of the ‘trade off’ in terms of conditions in different categories. For example, with good jobs, OTP is not considered necessary, while autonomy may be traded for wages and job security. These compromises may well be the conditions that move a job down or up the categorisations in an individual’s mind. With delineation of categories being fixed by the measurement parameters, the subtle nuances of work such as relationships, feeling satisfied by completing work etc. are ignored within this mode. Nonetheless, it provides a counter to the previous typologies by moving from general factors that measure worker protection (Atkinson, 1984), precariousness (Burgess & Campbell, 2009), and migrant vulnerability (Sargeant and Tucker, 2009) to specific job categorisations and whether they have the characteristics of good, decent, or bad work as per Vidal’s measurement.

So, the research moves from general to specific, where the work has the quality measurements, rather than individuals experiencing conditions. This means that regardless of the individuals reporting enjoying work, having friendships, and feeling included, their job quality is based on its categorisation. For a large sample such as this research (n = 483), the specificity of this system allows quantification of where the sample is situated in terms of job quality. This will be explored further in Chapter Eight: Discussion.

The models above represent varying characteristics of immigration motivations, labour market position, OHS vulnerability for migrants, measurements of precarious employment, and measurements of job quality. As witnessed from the links between the models above, there is significant crossover in terms of the characteristics presented, regardless of what the model is measuring. Nonetheless, given that there are commonalities evident that are relevant for developing the researcher’s theoretical model.

Figure 2.3: Connections Between Relevant Theoretical Models and Frameworks



2.8 Migrant Workers as Vulnerable Workers?

Migrant work and vulnerability is a growing body of research, where the characteristics of migrant employment are analysed to evaluate conditions that are cause for concern (see Anderson, 2010; James & Walters, 2011; Jayaweera & Anderson, 2008; Kalleberg, 2009). While migrants cannot be considered a homogenous group, their working conditions may potentially expose them to a variety of adverse outcomes. Nonetheless, the reduction/ decline in working terms and conditions for many workers are emblematic of the changing nature of work. These changes “amounted to a progressive undermining of what had come to be viewed in the post-war boom period as normal jobs, namely full-time and relatively secure employees working at a specified time” (Quinlan et al., 2001, p. 335).

Consistent with overseas trends, one of the most notable employment trends in the past two decades has been precarious work and its practice (Dörre et al., 2006; Goldring, Berinstein & Bernhard, 2009). This growth is against a backdrop of the increased precariousness of work in general, a trend strengthened by labour market deregulation in many countries, for example, the Employment Contracts Act in New Zealand in 1991, and Work Choices in Australia in 1998. With growth rates significantly higher than conventional employment, these contingent employment relationships have attracted both popular and academic attention. For example, overseas research indicates the trend is creating a worker underclass (Kalleberg et al., 2000; MacKenzie & Forde, 2009; McDonald et al., 2007).

While the term precarious employment is sometimes used loosely as a synonym for select forms of non-standard employment, more commonly, following the lead of writers in other countries (Kalleberg, 2011; Quinlan et al, 2001; Vosko, 2006), precariousness is seen in terms of a bundle of job characteristics to do with insecurity, poor job quality, and adverse health and safety outcomes. They include general bad conditions of work, unequal treatment of workers in the same workplace, where some are formally employed by the employer and others hired through temp agencies, the lack of responsibility of employers, and a higher level of accidents than the host population (Choudry & Henaway, 2012).

The category of ‘casual’ work has long been permitted under labour regulation in many countries, which has led in practice to both ‘irregular’ and ‘regular’ casuals (Campbell & Brosnan, 2005). Pocock, Buchanan, & Campbell (2004) argue this category is “less

welcome and less necessary in terms of other aspects such as the incursion of labour-hire arrangements into certain industries, increased casualisation and the emergence of artificial arrangements of ‘dependent contracting.’ Casual work is often associated with poor quality working conditions and seen as providing flexibility for employers but not necessarily for employees, where many casuals experience their terms as the commodification of their labour, with a loss of control over their time, voice and respect at work (Pocock, Prosser, & Bridge, 2005).

As previously discussed, studies show that employing migrant labour is now common and widespread, particularly in industries where non-standard, precarious employment is the norm (see Dyer et al., 2008; McLaren et al., 2004; OECD, 2009). Oke (2010) states that “transnational work has contradictory aspects of opportunity and exploitation”, where vulnerabilities for migrant workers are created through the dualism of needing to find work, even if the terms and conditions are exploitative. As a result, migrants are over-represented in precarious and marginalised work, characterised by flexibility, insecurity, precarious employment, and long working hours with low pay (Benach & Muntaner, 2007; Krishnan, 2013; Mayhew & Quinlan, 2002). They are more likely to experience the contradictions of employment dependency and exploitation in their working lives than domestic workers, potentially leading to social exclusion (see Section 8.10 for further discussion). This is because some of the challenges facing migrants in the labour market are not simply to do with immigration status per se but wider issues including discrimination, language, and a lack of social networks.

The temporary nature of many migration visas also decouples work from many of the political and social rights of citizens (Jayaweera & Anderson, 2008), leading to temporary migrant workers being widely regarded as a precarious group of workers. The limited rights entailed by temporary migrant status (Boese et al., 2013) exacerbates the precariousness traced back to the sphere of. Temporary work often ties workers to an employer, region, or occupation, or places limits on work hours and employment type. Some visa-holders can only stay in the country for a short time without employment, making leaving an exploitative employee difficult. Further, work can be a means of attaining permanent residency and employers may exploit this desire (Ball & Piper 2005).

Migrants constitute a substantial part of the informal labour market and can be found working illegally in many sectors of the economy. Many of these precarious workers may be categorised as illegal under three primary categories: migrants overstaying their visa and engaging in paid work; migrants who work despite a visa with no work rights;

and migrants who work beyond their limited rights (Howells, 2011). Those workers who are considered to be 'illegal' are generally recognised to be "highly vulnerable to exploitation and abuse as employers can use their lack of legal status to threaten and control them, and in practice they may be grossly over-dependent on their employer" (Anderson, 2010, p. 312). Gois and Campbell (2013) contend the primary reasons that migrant workers are vulnerable in their host countries

is the threat of detention and deportation, whether they are documented or undocumented. Those who fear detention and deportation are more likely to be 'docile' workers and are less likely to complain to (or about) their employers. When migrant workers are in distress, deportability may render some reluctant to seek assistance. (p.164).

As employers compete for the most desirable workers, those with the least desirable jobs are likely to have less choice over whom to employ. Employers may prefer migrant workers over local workers because of their "vulnerability and lack of choice that results from their foreign status. Employers perceive them as comparatively 'flexible' and 'cooperative' with respect to longer working hours, more vulnerable to 'molding' ... and less likely to leave their jobs (Chuang, *supra* note 1, in Misra, 2007). As the lower skilled and lower paid areas of employment where migrant workers are concentrated are associated with relatively unattractive working conditions (Green et al, 2007, Murtough & Waite, 2000), we would, therefore, expect that the employers with the poorest paying and least desirable jobs would be dependent upon the least desirable workers who have the fewest alternative working options and sources of income as a stable labor supply. However, the volumes of workers looking for work more generally will also play a big part in the changing migrant division of labour.

Business characteristics may also increase migrant vulnerability. With ethnically-based hiring combined with the small size of most New Zealand companies, Lamm (2014) states that workers in the small business sector are

increasingly employed low-paid, in non-standard, insecure or precarious work, thus creating a vulnerable working class. However, vulnerable workers... are notoriously difficult to research as they are frequently transient, often work non-standard hours, and are likely to be marginalised and 'invisible'. (p. 161).

While some qualitative studies have detailed migrants' experiences of precarious employment (Ahmad, 2008; May et al., 2006; Pai, 2008), large-scale data is limited. To address this research gap, Jayaweera and Anderson conducted a literature review of

migrant workers and vulnerable employment in the United Kingdom in 2008. They reported the abuse and exploitation of migrant workers as receiving increasing attention from the media, particularly following the death in Morecombe Bay in 2004 of Chinese cockle pickers. The authors give indicators of vulnerable employment as being low pay, illegal/unfair deductions from pay, unsafe workplaces, limited rights to leave, and insecurity at work. Nonetheless, many migrant workers enter labour markets through precarious jobs in low-wage industries and the informal economy where they often endure routine violations of labour and employment laws (Martin, Morales, & Theodore, 2007).

In Australia, information about migrants and their outcomes has indicated migrants differ from the Australian-born population in their labour-force participation rates, unemployment rates, and their distribution in industrial and occupational groups (Corvalan, Driscoll, & Harrison, 1994), experiencing higher rates of unemployment, and clustering in jobs with poor conditions and progression. Ho (2006) argues that skilled migrants do not always successfully transfer their skills to new labour markets and that successive government's 'success story' narrative conceals a much more complex reality, where migrants' employment outcomes are shaped by broader social and cultural factors, as well as just economic ones.

In New Zealand, an emerging volume of research indicates that migrant worker vulnerability and exploitation is endemic. While there are many media accounts of migrant vulnerability in the labour market, and some analyses accounting for it, there have been limited attempts to quantify this vulnerability. Such documented cases are probably the tip of the iceberg as typical of vulnerable workers, migrant workers are unlikely to report illegal conditions (Deshingkar & Start, 2003). Firstly, the worker may be employed in the "hidden" or "shadow" economy and not paying tax on their earnings and it is impossible to know the extent of this. However, it would be reasonable to assume it is more likely to occur for those groups engaged in employment of a more short-term, transitional nature such as international students. The New Zealand Inland Revenue does not produce its own estimates of the size of the hidden economy, but it does identify sectors of the economy where it expects noncompliance to be of particular concern (Inland Revenue, 2011, Radio NZ, 2011). These sectors include the hospitality industry and the agriculture and horticulture sectors, both of which are areas of the economy with large numbers of temporary migrant workers (MBIE, 2013).

For example, in 2010, in New Zealand, four men were jailed for employing hundreds of illegal labourers to pick apples, grapes, and vegetables from 2004 to 2006. Another

contractor in the area admitted that almost all contractors were employing illegal migrant labour, “we were all doing it. Anyone who said they didn’t is basically lying...” (Sharpe, 2010). A later 2016 Restaurant Association worker exploitation investigation survey found six in 10 operators in New Zealand's hospitality industry agreed there was worker exploitation in the industry, often escaping detection because hiring was done within individual communities, mainly Indian and Chinese, and usually involved small-business owners (Tan, 2016).

In December 2016 The Human Trafficking Research Coalition published a study by Dr Christina Stringer titled *Worker Exploitation in New Zealand: A Troubling Landscape*. The research identified cases of worker exploitation in several key industry sectors and predominantly labour-intensive industries. Some migrants were being charged fees by other migrants for the work opportunities, paid their employers in cash and the money was then paid back through formal channels as wages. Non-compliance with employment legislation was common, particularly in the horticulture and hospitality industries, many temporary migrants tolerating exploitation so they could qualify for permanent residence or because they were coerced and/or deceived by their employers.

They may also tolerate the situation because of power imbalances (perceived or actual) or because of limited options available to them. Some pay their own salaries to obtain residency. Worker exploitation is widespread in terms of industry sectors and/or visa categories, with much of it remaining hidden. (p.x).

This section has presented factors that can be used to indicate migrant worker vulnerability. While vulnerability has been theorised within some frameworks presented within this chapter, the literature provides some context in aiding the ways vulnerability may be understood practically. Alignment with the theoretical frameworks that seeks to measure and explain vulnerability and associated phenomena strengthens the content analysis within this thesis.

2.9 Conclusion

This chapter concludes by suggesting that these immigration and employment models analyse some factors in understanding international student mobility, changing labour market conditions, measurements of precariousness, and job quality. Nonetheless, although the models present critical influences in improving the researcher’s understanding, all have weaknesses in terms of depth or explanation. Critical analysis of these will seek to help build a more robust conceptual framework for analysing

international students working, through a lens of job characteristics and potential vulnerabilities.

Presented are theoretical models by which international student working experiences and associated subject may be understood. These representations of migration and working conditions receive less or more attention relevant to what the model is attempting to explain. In the case of international students working, no model has addressed both study and work in significant depth. Broader measures for conceptualising international student workers are suggested with particular reference to Atkinson's (1984) core and peripheral labour market model, Burgess and Campbell's (1998) identification of the nature and dimensions of precarious employment, and Sergeant and Tucker's (2002) definition and classification of 'precariousness'. Vidal's (2013) conception of low autonomy work is presented as a potential framework for evaluating research findings and conceptualising international student job quality. Finally, literature related to migrants as vulnerable workers is presented. A combination of factors from the frameworks and models is proposed as a lens for understanding the following chapters' presentation of the literature and later evaluation of research findings.

Chapter Three: Literature Review

3.1 Introduction

The preceding chapter introduced the theoretical underpinnings of educational migration, migrant worker precariousness and vulnerability, and job quality relating to international student work. These theoretical models were considered appropriate frameworks to help interpret the literature in this chapter. Therefore, the objective of this chapter is to provide context and establish key understandings of international students working in New Zealand and related areas. The literature review also provides an overview of material relevant to addressing the research questions.

Very few countries are unaffected by the presence of international students in its institutions of higher learning. The international education sector has not only grown considerably but has generated a number of interconnecting issues, including the transnational migration of people, economic imperatives of education, and potential conflict between education and paid work. While research to date has largely focused on migration outcomes (Bauder, 2006; Coppel, Dumont, & Visco, 2001; Deshingkar & Start, 2003; Khoo & Birrell, 2002; Ward, 2008) or educational results (Andrade, 2006; Curtis & Shani, 2002; Guidry Lacina, 2002), there is limited investigation of international students who are students and are also working (Nyland et al., 2009). Of the little research based in New Zealand, most have been promulgated from government agencies. The research also sits within intersecting concerns including the export education industry, labour market supply, the vulnerability of migrants, and movement of youth to pursue educational and work opportunities (Bauder, 2006; Deumert et al., 2004; Merwood, 2007).

This chapter is divided into four main sections. The first provides a background to migration, then the development of international education globally and in New Zealand, followed by the tertiary education sector characteristics. The following sections present migrant trends, motivations for educational migration, and then the characteristics of international students are outlined. Thirdly, examined is the study and work of students, where international students are located within the body of temporary migrant workers in New Zealand, proposing that migration status and education levels influence patterns of work and health and safety. This guides the focus on evidence of the spill-over from international student to potential vulnerable migrant worker. Public policy concerns and responses in New Zealand survey the existing legal monitoring and enforcement

mechanisms for protecting international students as workers. Finally, investigation of whether international students can access Decent Work is followed by the chapter conclusion.

3.2 Migration Trends

Population mobility is among the leading policy issues of the 21st century⁷. Historically, migration is a search for opportunities, employment, and human security where new opportunities are sought on either a temporary or permanent basis. Although human migration is not a new phenomenon, "it has changed significantly in number and nature with the growth of globalization, including the ease of international transport and communication, the push and pull factors of shifting capital" (Zimmerman, Kiss, & Hossain, 2011, p. 1). The number of international migrants worldwide has continued to grow rapidly in recent years, reaching 258 million in 2017, increasing from 220 million in 2010 and 173 million in 2000. In 2017, women comprised slightly less than half of all international migrants, and the median age of international migrants worldwide was 39 years. However, in some regions, the migrant population is becoming younger. Between 2000 and 2017, the median age of international migrants declined in Asia, Latin America, the Caribbean, and Oceania. Nonetheless, globally 14 percent of all migrants were under 20 years, compared to a proportion of 34 percent of the total population (United Nations, 2017).

Almost two-thirds of all international migrants are hosted by high-income countries, whereas in 2017, 64 percent of all international migrants worldwide lived in high-income countries, while 36 percent of the world's migrants lived in middle- or low-income countries (United Nations, 2017). This distribution reflects where life opportunities are greater than in home countries. (further discussed in Chapter Two: *Push-Pull Factors*). This diaspora now constitutes a substantial proportion of the global labour force, working across all industries and business sizes. In 2017, migrant workers accounted for 164 million of the world's approximately 258 million international migrants (64%) (Aldridge et al., 2018). Migrant workers contribute economically and by filling skills shortages in their host countries, while their home countries may benefit from their remittances and, potentially, from skills acquired if they return (De Haas, 2005; Giuliano & Ruiz-Arranz, 2009; Hanson, 2009). While it is difficult to compile a precise list of all the different

⁷ Statistics on global migration are imprecise because of the diversity in definitions and due to the difficulty of counting irregular or undocumented migrants (Bell, 2004).

occupations practised by migrants, the information available shows a far wider range of sectors than perhaps many would expect (Camarota & Jensenius, 2009; Garson, 1999).

Nonetheless, despite the significant benefits of migration, some migrants remain among the most vulnerable members of society. The significant increase in the movement of migrant workers worldwide has raised concerns from researchers, and government and multilateral agencies, along with unions, about the working and living conditions of migrant workers. In common with many domestic workers, a demarcated labour market has left many migrant workers globally accepting lower pay, longer hours, and other reductions in the terms and conditions of employment (Arcury, Grzywacz, Sidebottom, & Wiggins, 2013; Moyce & Schenker, 2018; Wishnie, 2004). A significant volume of research has indicated that migrants are more likely to be employed in work that is marginalised and with little progression relative to the host population and are often the first to lose their jobs in the event of an economic downturn (Bauder, 2006; BSR, 2013; Garson, 1999).

The lack of social protection for those without permanent migration status also puts increased pressure on migrants to accept work that may have inferior terms and conditions. Further, the migrant workforce across occupations has characteristics that differ from that of native-born workers (Passel, 2006), often working longer hours for substandard wages (Tienda & Singer, 1995), and in more dangerous conditions than domestic populations (Anderson, 2010; Connell & Burgess, 2009; Corvalan et al., 1994). Some migrants “endure human rights violations, abuse and discrimination” in the course of their employment (United Nations, 2017, p. 1). Migrants may also be a political focus as immigration cannot be considered morally neutral, and all countries construct entry conditionality, contradicting the spirit of globalisation and liberalisation.

As Nigel Harris (2002) argues that comparing flows of people to flows of capital, information or commodities is simplistic, as the circulation of people is far more complex than the circulation of other types of items and the mobility of people generates social and political challenges that cannot be ignored (Pécoud & de Guchteneire, 2005). Migrants are often blamed for myriad issues and are targeted by immigration enforcement during times of economic trouble or for political motives where governments need to be seen as “being tough” on illegal migrants (Cunningham-Parmeter, 2009; Freeman, 1995). Essentially, border controls indirectly feed racism as they fuel the idea that foreigners are undesirable, thus casting doubts on the right of migrants to live in receiving societies (Hayter, 2000, in Pécoud & de Guchteneire, 2005, p. 15). This pressure has arisen against

the backdrop of broader debates surrounding precarious work, worker vulnerability, and employment exploitation, discussed in further detail in Section 3.13 of this chapter. International students may experience these working conditions and challenges although their primary visa entrance category is for education.

The following section summarises the development of international education globally, then in New Zealand, presenting historic milestones and key data. Of prominence is the relatively short development of this industry worldwide and its impact on migration flows, visa categories, and education funding. The transition from ‘aid to trade’ of many countries has significantly altered the precepts of education as a *service* for export (Oakman, 2010). With this move to profit imperatives and as a potential avenue for international student transition to work and residency, multiple complexities arise.

3.3 Educational Migration

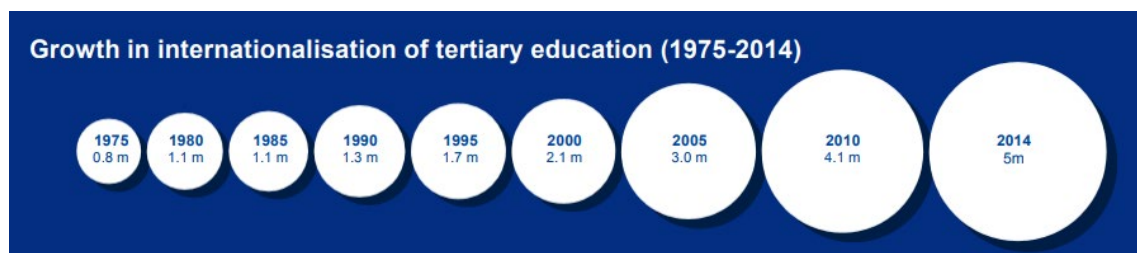
Financial, cultural, and educational exchange in a "shrinking world" (Infometrics, NRB, & Skinnerstrategic, 2008, p. 12) has meant educational migration is a significant element of worldwide people movements as an increasing number of people are choosing to undertake tertiary qualifications beyond their home countries. International education has become a worldwide industry and an important export industry in many countries (see Able & White, 2012; monitor.icef.com). With education as an increasing source of the globalised movement of people, the numbers of students studying outside their home countries has also grown substantially. The growth of educational migration has been observed in most Western countries as an avenue for substantial wealth generation for the economy as well as a primary source for skilled migration (Bloom, Hartley, & Rosovsky, 2007).

According to Johnstone (2004), many developed nations considered the primary financial provider for tertiary-level education should be shifted from governments (and general taxpayers) to parents and students (individual beneficiaries). At the same time, institutions of higher learning, faced with reduced public funding, have had to develop an increasingly market-oriented approach to recruit students (Kwiek, 2001). This shifting emphasis within the higher education sector led to the recruitment of overseas students as a source of revenue. Countries that have adopted this rationale have to date recorded the highest growth in international student enrolments (Vincent-Lancrin, 2004), for example, in Australia and New Zealand. The primary contributions are “made through the enhanced supply of skilled workers it potentially offers to New Zealand businesses, and

the social and educational enhancements the sector provides Auckland.” (Illuminate Consulting Group, 2014, p. 37).

The trend for a number of years is for the mobility of international students to exceed that of general migration (King, Findlay, & Ahrens, 2010; Verbik & Lasanowski, 2007). Education migration numbers have tripled since 1990, and by 2022 are expected to reach seven million (OECD, 2014). In 2015, more than five million students studied outside their home countries, more than double the 2.1 million who did so in 2000 (ICEF, 2016). The continual increase in international student numbers worldwide has predictably stimulated a wide variety of research, particularly in relation to the tertiary education sector (Able & White, 2012; Andrade, 2006; Dolby & Rahman, 2008). The English-speaking countries, specifically Australia, Canada, United Kingdom, USA, and to a smaller extent New Zealand, have attracted the largest population of international students (Binsardi & Ekwulugo; 2003; Hearps, 2016). Most of the research literature also originates from these countries.

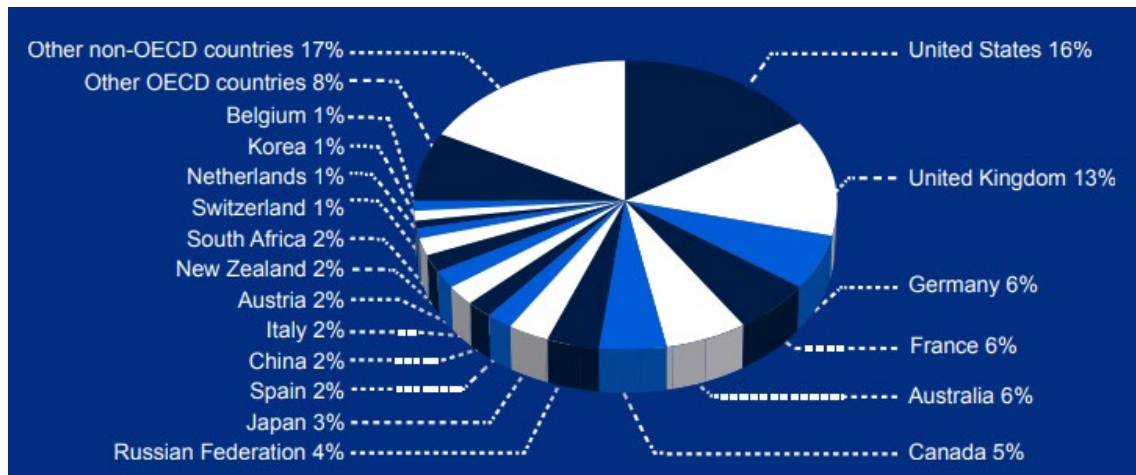
Figure 3.1. The Growth in the Internationalisation of Tertiary Education (1975–2014).



Source: Hearps, 2016, p. 4.

China, India, and South Korea are the world’s leading sources of international students. All told, 53 percent of all students studying abroad today are from Asia. One of every six international students is now from China, and together China, India, and South Korea account for more than a quarter of all students studying outside their home countries (Hearps, 2016). Although the current enrolment figures at tertiary level show a greater number of Chinese international students than any other nationality, it is predicted that the number of Indian students will surpass Chinese students by 2025 due to an increase in the Indian youth population, contrasted with a declining Chinese youth population (Gopinath, 2015).

Figure 3.2. Host Countries of International Students 2015



Source: Hearps, 2016, p. 5.

International students are extremely important to higher education institutions and to host and source countries. According to Verbik and Lasanowski (2007), these include both short-term and long-term benefits. The literature indicates that international students are being targeted to further the economic interests of the host countries (Dolby & Rahman, 2008), whereas the immediate boost to tertiary and domestic income is a short-term benefit. Retaining international student skills for the benefit of the host country is a long-term benefit. In addition, students gain knowledge and skills by overseas study. The literature concerning the factors and interests stimulating student mobility is presented below.

3.4 Motivations for Students Studying Overseas

The recent literature has identified multiple motivations for studying abroad, including the desire of students to expand their knowledge of other cultures, enhancement of languages (particularly English language), recognised qualifications, as well as opportunities for improved labour market outcomes from overseas higher education (Caluya et al., 2011; Carling & Collins, 2018; Gribble, 2014; Mazzarol & Soutar, 2002). Student mobility has also been driven by the overall growth in higher education worldwide, particularly among high-income economies, and the perceived value of enrolling at prestigious institutions. This motivation has become even more important as students are aware of the perceived quality differences in higher education systems through the publication of institutional rankings (Kahanec & Kralikov, 2011; Perkins & Neumayer, 2014).

Baker, Creed, & Johnson (1996) surveyed university graduates in Australia and found the most significant factors attracting international students were institutional quality, course choice, and reputation as well as the potential for improved job prospects when returning home. Binsardi and Ekwulugo (2003) and Russel (2005) both researched international students in UK tertiary institutions, concluding that the quality of the institution is the most important factor. Further, Cubillo et al. (2006) developed a speculative model of student choice as being dependent on five factors. These were: personal reasons, the effect of the country image, influence of the city image, institution image, and the evaluation of the programme of study. The researchers believed the last two factors were the most important.

Nonetheless, from the perspective of international students, a personal journey to a foreign country for studies may not simply be confined to a short-term goal of attaining an educational qualification but may extend to further long-term goals (Abbott & Silles, 2016; Baas, 2010; Bandyopadhyay & Bandyopadhyay, 2015; Jackling, 2007). Baas' (2010) Australian study of Indian international students reported that, other than the primary educational goal, the participants had other predetermined goals such as employment and immigration. Likewise, Bethel and Ward's (2014) study on tertiary international students in New Zealand reported similar intentions of Indian international students. This is, of course, dependent on the willingness of host countries to import labour (Chiswick & Miller, 2011; King et al., 2010; OECD, 2009; Poros, 2001). As these studies have pointed out, international students also have short-term and long-term goals when they enter a new country, and work may play a significant role. The over-riding theme from all the literature suggests that international students predominantly choose educational institutions that they see as quality institutions and ones that offer qualifications recognised throughout the world. However, also of influence are future goals in terms of work and potential settlement- particularly among Indian international students.

The following section profiles the export education industry and international students in New Zealand. The research draws primarily on statistical information as overseas, and New Zealand data is primarily quantitative, using economic measurements such as international student numbers, economic contribution, and contribution to job creation (Department of Labour, 2013, 2009; Infometrics et al., 2008).

3.5 Student Migration to New Zealand

The export education industry has become increasingly important for the New Zealand economy, and education exports are a significant contributor to GDP and to New Zealand's international reputation in addition to revenue generating for the education institutes (Kalafatelis, de Bonnaire & Alliston, 2018; ENZ, 2017). International student numbers increased to 131,609 in 2016 (+ 6%), declining to 125,392 in 2017, but the total economic value of the sector remained stable at an estimated \$5.1 billion. Before this, international student numbers had been increasing, since 2009 (Education Counts, 2018a). Together, China and India contributed 50 percent of the student market, although enrolments from India declined by 29 percent (down 7,094). An increasing number of student enrolments were from the US, Colombia, Chile, Indonesia, and Vietnam (ENZ, 2018).

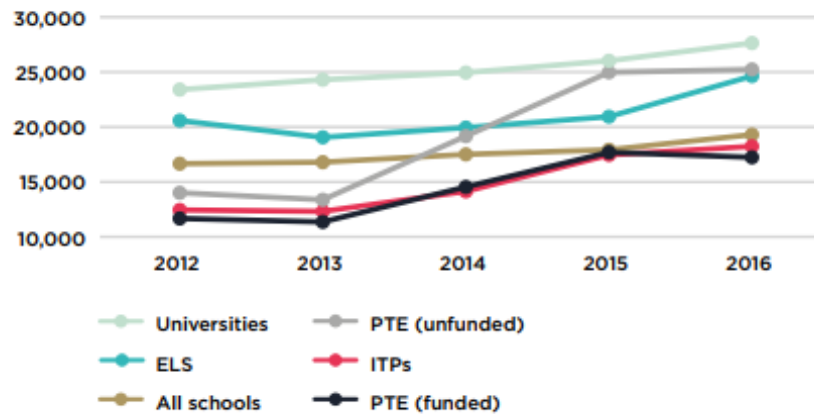
Of the total numbers, 61,300 were tertiary students – the focus of this research. Tertiary level study is categorised as study at institutes of technology, polytechnics, and wananga, universities, English language schools, and other private tertiary establishments (see Figure 3.3). Based on equivalent fulltime student numbers, universities currently account for the most international tertiary students (48%), followed by ELS (39.7%) and unfunded PTEs (30%). International education is now estimated to contribute \$5.1 billion to New Zealand's economy and is New Zealand's fourth largest export earner, supporting 47,490 jobs. This represents a near-doubling in the total value of the sector between 2014 and 2017 (ENZ, 2018; ICEF, 2018).

Historically, students from China dominated among international students in the early part of the 21st century although numbers had dropped significantly by 2003/04, with a continuing and significant drop from 2003 to 2008. However, China was New Zealand's largest source of international students in 2017, as for the previous six years, followed by India, which replaced Korea in the number two spot in 2011 (New Zealand Visa Bureau, 2011). Japan was the third-largest supplier of international students in 2017, followed by Korea and the Philippines - the ranking of these five markets remaining unchanged since 2012.

International students study a variety of subjects and course level, information that is not readily available from public or private institutions in New Zealand. Nonetheless, New Zealand research from 2011 shows that two-thirds of students registered at PTEs list English as a foreign language as their major course of study, and English is a crucial

component of the educational product for most foreign fee-paying students (FFPs) (Lewis, 2011). Pragmatic choices will also be made in terms of course reputation, interest, and potential future opportunities.

Figure 3.3. Number of International Students in New Zealand by Education Sector, 2012–2016



Source: ENZ, 2017, p. 9.

Auckland has by far the most students of any city in New Zealand, reflecting location desirability, established immigrant communities, and the largest choice of universities and PTEs, with 60 percent of total students (ENZ, 2017). No other region is close to Auckland in either student numbers or foreign exchange earnings. Foreign exchange earnings in the Auckland region total \$2.2 billion, around 64 percent of the total, and the total effect on the region’s GDP is around \$2.2 billion with total employment generated by international education in the region is over 16,000 jobs. Auckland is the region that is most reliant on the industry, with international education accounting for 2.7 percent of its GDP. Otago follows with 1.6 percent (Infometrics & NRB, 2016). Table 3.1 below summarises the key figures concerning international students in New Zealand.

Table 3.1. International Student Key Figures⁸

Country	New Zealand
Working Age Population (15+)	3,843,200
Unemployment rate (at December quarter 2017)	4.5%
Number of tertiary international students 2017	62,600 43,900 FTE
Country of origin of international students (top four)	China 33% India 17% Japan 8% Korea 6%
Student visa requirements	A student visa is required for courses longer than three months duration, and the intended course of study must be approved by the New Zealand Qualifications Authority.
Financial requirements for student migration	<ul style="list-style-type: none"> • NZD\$1,250 for each month if the programme of study is less than 9 months • NZD\$15,000 for each year if the programme of study is longer than 9 months.
Financial requirements for student migration	<ul style="list-style-type: none"> • NZD\$1,250 for each month if the programme of study is less than 9 months • NZD\$15,000 for each year if the programme of study is longer than 9 months.

Source: Education Counts, 2018; 2018a; ENZ, 2018, 2018a; ICEF, 2018; Stats NZ, 2018a, b.

3.6 International Student Characteristics

While increasing research investigates various aspects of the international student experience, much of the focus globally has been on Chinese students as they have made up the biggest group of those undertaking education overseas (Wang et al., 2012; Wei et al., 2007; Ye, 2006). With South Korean students making up a significant proportion of international students there is also research about this cohort (see Ahmad et al., 2005; Collins, 2010; Lee, Koeske, & Sales, 2004) with focus on mental health outcomes and identity. However, relating to working experiences, an emerging focus on Indian students has also occurred with growth in the market. This trend has emerged globally, reflected in the Australasian literature (Baas, 2006; Hawthorne & To, 2014). The following sections present international literature about the lived experiences of international students studying, as a background context for understanding their working lives in New Zealand.

⁸ As at end of 2017. Complete official statistics are retrospective, and no later numbers were available at the time of thesis submission.

3.6.1 Language Competence, Social Relationships, and Age

Globally, the majority of international students are from Asian countries and they are generally non-native speakers of English. However, their preferences are for higher-level courses (post-secondary school) in an English-speaking environment. As most of the literature on Asian international students' experiences has revealed, they may struggle against a variety of adverse conditions because English language competence plays a prominent role in academic adjustment (Misra, Crist, & Burant, 2003; Yeh & Inose, 2003). For example, Wang and Shan (2007) suggested that many such students experienced learning difficulties due to a lack of language proficiency in both their verbal communication and academic writing. Further, participants in Zhang and Brunton's (2007) study claimed that difficulty with language was one of the important reasons that contributed to their academic failure. To illustrate this point, Johnson's (2008) study discovered that, even though ESOL students proved their language proficiency through related language tests in a New Zealand university, they still struggled academically due to the complexities of the language involved in a classroom situation.

Kwon (2009) stated that Asian students reported that their English language proficiency was lower compared to other students, with related feelings of loneliness and an inability to actively participate in the classrooms. A similar situation was identified in New Zealand where a lack of language proficiency was found to be affecting international students in building relationships with the host community and communicating effectively (Campbell & Zeng 2006; Campbell & Li, 2008). It can, therefore, be assumed that those who do not struggle with the English language would have smoother academic and social adjustment (Kukatlapalli, 2016).

Sam (2001) explored the satisfaction of international student groups in Norway, finding that students from Europe and North America were, on the whole, more satisfied than their peers from Africa and Asia. "It was also found that factors such as the number of friends, satisfaction with finances, perceived discrimination and information received prior to the foreign sojourn significantly affected the student's life satisfaction" (Sam (2001, p. 315). Zhang and Brunton (2007) found that opportunities for Chinese students to get involved in the local community were limited although they desired quality relationships with host nationals. This finding was consistent with Ho, Li, Cooper and Holmes' (2007) findings that most participants stated that interaction with local students was more limited than they desired because local students had no interest in getting to know international students. This is also congruent with Bai's (2008) findings that one

of the key factors affecting Chinese students' satisfaction level was that they had less contact with local New Zealand students and had fewer New Zealand friends. They were likely to feel culturally excluded and had a stronger sense of being discriminated against by New Zealanders than other international students.

Youth also has an impact on work opportunities, with youth as a whole often viewed as being at particular risk in the labour market. Nicole-Drancourt (1992) argues those who are young are more likely to tolerate flexibility (lack of protection) and unpredictability in their working lives. Worldwide, the ILO (2018) estimates that the informal sector accounts for most of the jobs available to young people, where wages in the informal sector are lower than the formal economy, and protection and benefits are missing. For those in a new country with unfamiliar regulations, this knowledge may be difficult to access. The Young Workers' Centre in Victoria documented in 2016 that young people had employment typified by wage theft violations across all industries and have a poor understanding of their rights and entitlements under employment frameworks and lessened ability to enforce them (Bright & Fitzpatrick, 2017). So, for young international students, the potential for poor working conditions and or exploitation is compounded.

3.6.2 Education Quality and Pastoral Care

The extensive literature available on international students at tertiary level indicates that international students face more problems at academic, social, and cultural levels than domestic students and have low use of support services in their educational institutions (Andrade, 2006; Ward, 2001). Berno and Ward (2004) have reported that social support facilities provided by the institutions were less used compared to other sources of social support such as family and friends. Generally, Asian students felt that their institutions provided insufficient emotional support compared to information and guidance. The lack of adequate social support is likely to increase acculturative stress among international students (Poyrazli, Kavanaugh, Baker, & Al-Timimi, 2004). Results also indicated that students from Asian countries experienced more acculturative stress compared with other subgroups.

The New Zealand Ministry of Education introduced a Code of Practice in 2001 (updated in 2016) to provide guidance for educational institutions on the necessary care for international students. Yet despite the large amount of money they bring tertiary institutions, a confidential study undertaken for the lead sector body, the Education New Zealand Trust found that the rate of university reinvestment of revenues from their

international students was markedly below equivalent levels for Australian universities (Illuminate Consulting Group, 2014, p. 42). Perhaps, as a result, Campbell and Li (2008) established that the participants reported they received insufficient support, including the lack of accessibility of teachers, information about learning support, and specific feedback on their academic performance from the lecturers.

Guan and Jones (2011) also pointed out that some learning support services were not of long-term benefit in supporting Chinese students, where feedback was not constructive. Nonetheless, although Chinese students claimed that there was insufficient help from the host institutions and the lecturers. Also noted was that Chinese students were reluctant to use the support services provided by the universities for students because they had to admit their lack of capability, which was considered shameful. They seemed to have little confidence in the degrees they obtained from New Zealand tertiary institutions and they had suffered financial hardship. However, many strongly intended to find a permanent job in New Zealand after graduation (Bai, 2008; Ho et al., 2007; Ward & Masgoret, 2004).

The Experiences of International Students in New Zealand, published in 2008 by Deloitte, suggested that a large proportion of international students felt poorly about their relationships and general contacts with New Zealanders. More than a third of students said they had one or no Kiwi friends, while just 11 percent indicated that they had many New Zealand friends. Only 17 percent of participants in the study said they felt New Zealanders would like to know international students better, while 48 percent strongly or mildly disagreed with the statement that New Zealanders desired close relationships with international students. This potential isolation forms a significant part of international students' experiences (Craig, 2010).

3.6.3 Financial Concerns and Motivations for Engaging in Employment

For international students, a notable factor of choosing a study destination relates to cost – both of education provision and living in the host country. As they pay the full cost of their study, unsubsidised by government funding, the cost can be exorbitant, and often students have minimal understanding of budgeting in a foreign currency (Cull & Whitton, 2011). In Ho et al.'s 2007 survey, the two key factors that motivated Chinese students to choose New Zealand as their overseas study destination were the costs and the perception of the quality of education. Participants in Bai's (2008) study also implied that cheap tuition fees and cheaper living costs in New Zealand had been the top two reasons for

them to choose New Zealand rather than other western countries such as the USA, the UK, then Canada or Australia to study.

Although New Zealand was regarded as the cheapest country for overseas study, Zhang and Burton (2007) concluded that Chinese students found their expectations were not necessarily met in terms of anticipating costs for study as well as uncertainty around post-study opportunities. Moreover, being far away from the protection of their parents and family, Chinese students had to deal with financial issues by themselves when they were studying overseas. Many of them had never learned to arrange their living expenses independently before coming to New Zealand and found this aspect difficult. Further strain occurred if they had been misled about the cost of study by overseas migrant agents, a common complaint.

In 2007 the Ministry of Education and the Department of Labour (in Deloitte, 2008) acknowledged the lack of knowledge about this cohort by integrating new questions into the *National Survey of International Students*, focusing on international students' experiences of working in New Zealand. Thirty-five percent of the students surveyed indicated that they were in part-time employment, mainly in hospitality or retail sectors. The main reasons students gave for opting to work part time were to meet living and tuition costs, with 47 percent of students stating this was their main reason for working. Just over a quarter of students (26%) sought work experience directly relating to their area of study and a further 21 percent of students worked part time primarily to gain general work experience.

Because of increasing financial pressure while they are at university, more students participate in temporary work (Wang, 2011), and data from various surveys have indicated that many students are employed in multiple employment sectors. International students take employment during term time for a variety of reasons. For some students, working during term time is needed for their education and living expenses. Secondly, some students work for 'extra cash' (Barke et al., 2000; Ford, Bosworth, & Wilson., 1995). Nevertheless, not all international students choose to work because of financial considerations. Manthei and Gilmore (2005) surveyed students emphasising the benefits obtained by term time employment, such as improving communication skills, time management, teamwork, development, and personal confidence (Pickering & Watts, 2000). These qualities may enhance students' social network development, both within and outside the university environment (Lucas, 2004).

Future employability has become another significant factor behind international students' decision to work while studying (Curtis & Lucas, 2001; Gribble, 2014). The pressure to work may be exacerbated by a lack of local employment experience and hearing of classmates finding job opportunities. Mazzarol and Soutar (2002) documented the ability to settle and intention to assimilate into the host country's culture and to migrate after graduation as being a strong motivating factor to engage in work, with Alberts and Hazen (2005) concurring employment was linked to whether international students initially saw their stay as "temporary, or as a springboard toward a permanent stay from the outset" (p. 138).

Chinese international student employment motivations have had limited academic attention in the literature (Mok, Han, Jiang, & Zhang, 2018; Tam Oi & Morrison, 2005). This underrepresentation is at least in part because Chinese parents consider their children studying overseas as their responsibility and paying for their education a long-term investment. Students will therefore not consider work as the primary financial resource for their study and working is not generally encouraged (Mok et al., 2018, Wang & Shan, 2007). In 2011, Wang surveyed Chinese international students about their work. He found that Chinese international students are less likely to take term-time employment compared to their New Zealand peers. The primary motivation for working was valuing experience in the host country although "Chinese international students receive much lower wages and tend to have shorter employment durations" (Wang, 2011, p. i).

For Indian students, the researcher's own exploratory studies indicated the motivation to work was primarily financial, particularly for those who had an educational loan. Investigation indicated that Indian students often had little or no financial support from their family and hence needed to quickly begin earning in New Zealand. Therefore, the primary driver for working long hours was economic in that a number of students had to repay loans for their education fees and/or travel costs, and some needed to pay remittances (Anderson et al., 2012; Anderson & Naidu, 2010). Financial pressures arose from higher than expected living costs, and a lack of access to funds for living costs, and low pay. Difficulties finding compliant employment can mean a student may have little choice but to accept unlawful employment with poor conditions.

Although there has been little investigation in this area domestically, several studies have investigated this phenomenon in Australia. Nyland et al. (2009) interviewed 200 international higher-education students in 2005, one-third reporting that paid employment was their main source of income while 57 percent indicated they were employed at the

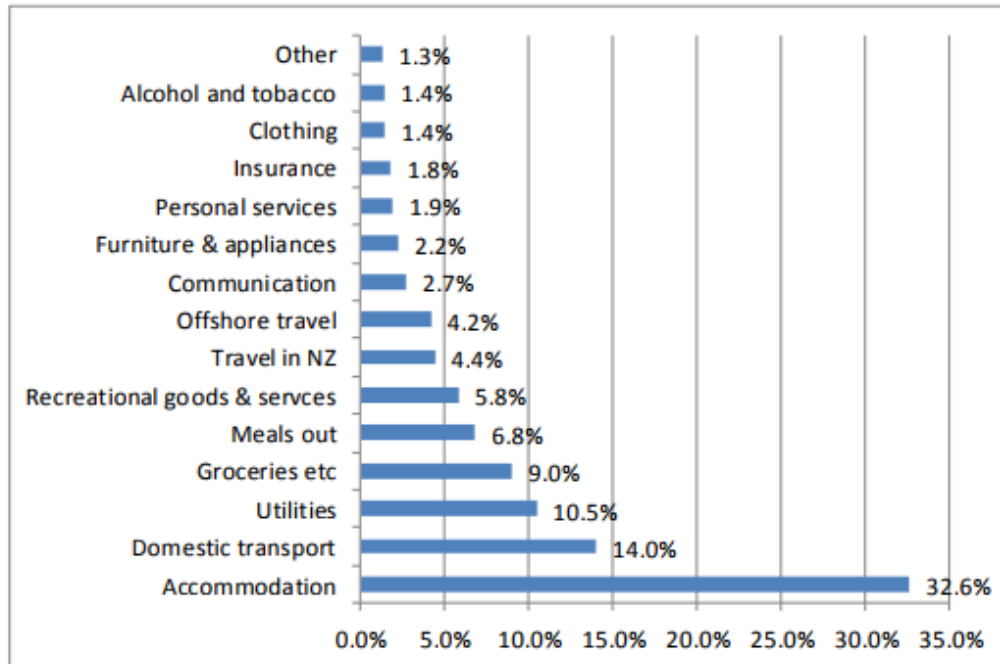
time. A further 13 percent indicated they had worked at some time while studying in Australia, meaning 70 percent worked at some stage. Bass (2006) reported that most Indian students were able to come to Australia by taking out a student loan to be able to pay their fees with those funds. They identified the Indian cohort as being likely to have taken a loan for study, often requiring repayment during the course, and forming the financial pressure and motivation to work. This finding also correlates with the finding of higher than anticipated living costs, discussed next.

3.6.4 International Students' Cost of Living in New Zealand

One common theme emerging from the literature has been the high cost of pursuing tertiary education in a foreign country. This is considered as a *push-pull factor* (discussed further in Chapter Two). For many international students, their first longer absence from home, combined with managing their own finances and relative youth and inexperience may mean they find money management difficult (Yeh & Inose, 2003). Previous studies have reported international students being misled by educational agents about the true cost of living in the host country (Altbach, 2013; Marginson, 2012). Misrepresenting conditions limits the international students' ability to access information and make informed choices about costs. Given that education agents are usually paid commission by the host institute, this is cause for concern.

A 2016 survey of international university students in New Zealand by Infometrics and NRB (pp. 14-20) reported mean living costs of \$27,015 and mean tuition fees of \$15,917 (including those who pay nothing) giving an average total spend of \$42,932 per annum. Mean earnings by the students were \$2452, while average living cost expenditure was approximately \$25,600. Accommodation is by far the largest component of expenditure, followed by domestic transport, utility and grocery costs as the next highest components. (illustrated in Figure 3.4.). For those undertaking a degree length course, these figures highlight a need to be able to access a significant amount of capital while in New Zealand. Also of interest was the low level of earnings reported by respondents, largely insignificant as an avenue for financial support.

Figure 3.4. The Composition of Student Living Cost Expenditure



Source: Infometrics and NRB, 2016, p. 21.

It could be argued that financial concerns are common to a number of tertiary students, rather than specifically international students. Nonetheless, as previously presented, international have additional potential vulnerabilities than domestic students and this may hinder their progress academically and in employment. The following section segues into migrant work characteristics to provide a contextual background to international student work, presented later in this chapter.

3.7 Migrant Employment

This section presents some of the characteristics that typify the migrant work experience. Globalisation has created more opportunities for migrant workers, where developed countries have increased their demand for labour, especially unskilled labour (Dustmann, Glitz, & Frattini, 2008; Waddington, 2003; Wozniak, 2004). The migrant workforce has historically played a vital role in filling work that is unable to be filled by the local population. While reasons are varied, there may be a lack of suitably qualified people or the work is considered undesirable. Word-of-mouth hiring within ethnic communities and just-in-time employment practices have also exacerbated migrant employment in many western economies, where interpersonal ties in migrant networks also play distinct roles in channelling migrants into occupations (Anderson & Tipples, 20016; Ash, 2015; Bloch, Sigona, & Zetter, 2009). As a counter, however, the free movement of people to

work in other countries has been restricted and ring-fenced, where governments exclude and control terms of entry. This has an impact on the sectors where migrants work, as discussed below.

3.6.5 Industry Concentration and Business Characteristics

While migrants are found working across all sectors in western economies, they are overrepresented in certain industries, business sizes, and under certain employment conditions. 2001 official data sources in the United Kingdom indicate that as many as 46 percent of those doing elementary jobs such as domestic work, cleaning, caretaking, refuse collecting, and labouring were born overseas, and the vast majority of these came from poorer parts of the world (Spence, 2005). Indeed, almost half of all the migrants from poorer parts of the world who arrive end up in the bottom quintile of the labour market during their first three years within the UK (London School of Economics, 2007).

A study following migrant workers in the East Midlands in 2007 showed that migrants were concentrated in the primary and service sectors, such work tending to be in agriculture, tourism, hotels and catering, services to households and businesses, and building (Garson, 1999). Care positions such as nursing and aged care are also overrepresented in employing migrant labour. UK research shows that the hospitality sector is most dependent on foreign-born staff, with rates well over 50 percent (Church & Frost, 2004; Datta et al., 2007; Matthews & Ruhs, 2007). Undeniably, migrants are more likely to be employed in the service sector than those who are UK born, regardless of country of origin (Haque, 2002).

While some migrants globally are concentrated in professional occupations (usually through skills shortage entrance categories) many more recent migrants were in jobs considered less skilled and lower wage (Anderson, Ruhs, Rogaly, & Spencer, 2006; Trevena, 2013). The lower-skilled and lower-paid areas of employment are associated with relatively unattractive working conditions (Green et al., 2007) with work socially graded (Siegrist & Theorell, 2006). There is also international evidence of increasing segregation of migrant workers in industries where they are already concentrated; some jobs are identified as *migrant work* because locals do not do them (Connell & Burgess, 2009, Dyer et al., 2011). May et al (2007) develop this concept as the Migrant Division of Labour (MDL), arguing that a disproportionate number of London's low-paid jobs are now filled by foreign-born workers (p. 152). It is argued that growth at the bottom end has been:

... further fuelled by a growing demand for low-paid workers to service the high-income lifestyles of an expanding professional and managerial class, to produce the goods and services used by low-income households themselves, and to satisfy the demand for informalized workers in manufacturing (Sassen, 1996, in May, 2017, p. 152).

In New Zealand, migrants have long filled skills shortages with temporary and permanent migration. McLeod & Mare (2013, p. 8) highlighted “the growing reliance on migrant labour in some industries, particularly seasonal labour in the main horticulture and viticulture regions of Hawke’s Bay, Nelson, Marlborough and the Bay of Plenty.” The Recognised Seasonal Employer Scheme (RSE) has been used to import temporary labour to address these shortages, where “guest workers” come to New Zealand to work in the horticulture and viticulture industries for seasonal work when there are not enough New Zealand workers (Immigration NZ, 2019a; Lovelock, & Leopold, 2008). However, Connell (2010) and Franks (2009) both contend that wages and conditions for workers are often poor. The workers are also permanent temporary with no option to stay in New Zealand. A similar trend has emerged in dairy farming; a 2017 article reporting 1400 immigrant workers were employed across Southland’s 900 dairy farms and the sector being dependent on migrant labour (Harding, 2017). Service sector employment has strong representation in hospitality and retail, although there are few defined paths for most of these jobs- being relatively low-paid and skilled generally (Campbell, Boese, & Tham, 2016; Haynes, 2005).

The Skills Shortage List (LTSSL) identifies occupations where there is a sustained shortage of highly skilled workers throughout New Zealand, identifying occupations that have an absolute (sustained and ongoing) shortage of skilled workers both globally and throughout New Zealand. Migrants who gain employment in one of these occupations may be granted an LTSSL Work to Residence or an Essential Skills work visa. Migrants applying for residency under the Skilled Migrant Category may gain bonus points towards their application if they have an offer of employment or work experience in an area of absolute skill shortage identified on the LTSSL (Immigration NZ, 2018).

The Immediate Skills Shortage List identifies occupations that have an immediate shortage of skilled workers either throughout New Zealand or in certain regions. Migrants wishing to work in occupations on the ISSL may be granted work visas under Essential Skills instructions if they meet the specified qualifications and/or experience requirements. This list is annually reviewed by MBIE (Immigration NZ, 2017). The List of Skilled Occupations does not record skill shortages, but a worker in one of these skilled

occupations may be able to apply for residency. This is a points-based visa that considers factors such as age, work experience, qualifications, and an offer of skilled employment. Further, the Recommended Seasonal Employers' Scheme (RSE) has partially addressed a lack of domestic horticultural and viticulture workers. Nonetheless, each year media reports of fruit remaining unpicked and no available workers are published (McKenzie-McLean, 2019). In most cases, the pay and working conditions are poor, which is the key reason these jobs are not filled locally (Minto, 2009).

Media investigation has highlighted working conditions in the service sector where many migrants are employed due to high demand and low barriers to entry. A 2018 Restaurant Association worker exploitation investigation survey found six in 10 operators in New Zealand's hospitality industry agreed there was worker exploitation in the industry (Tan, 2018). The same report documented workers being threatened by employers of being reported to immigration authorities and workers being made to pay for their jobs so they could remain in New Zealand. In 2016, the owners of an Indian restaurant chain Masala were prosecuted for serious and ongoing migrant exploitation. Three people were found guilty of systemic underpaying of workers, the court hearing that one staff member, an Indian national, was made to work about 66 hours a week and was paid around \$3 an hour. An investigation by INZ found that, in all, four Indian nationals were significantly underpaid between 2012 and 2014, workers were forced to under-record the hours they worked, return some of their pay to their employer, and were not paid any holiday pay (Tan, 2016).

Although migrant workers are employed across all sectors, research does indicate that migrant workers in western economies are more likely to be employed in small businesses, often within their own ethnic communities (Carville, 2016). Small businesses often employ family and friends as well as implement practices that precarious employment, including employing women and/or migrant workers on a temporary and part-time basis (Lamm & Walters, 2004). This has the potential to cause a number of issues for the worker, including an inability to complain about work treatment, a sense of obligation to remain in the job, and possible exploitation, "There is evidence that workers in the small business sector are increasingly engaged in low paid, non-standard, insecure or precarious work which often makes these workers vulnerable" (Lamm, 2014, p. 161).

Small businesses often operate either on the margins of the informal economy or in the informal economy, larger organisations tending to have more formalised systems in place as well as greater visibility in the community. The nature of small businesses means that

there may only be a few workers in close proximity to the owner/manager. This may make it difficult for the worker to bring up concerns or complaints, particularly if the job has been obtained through ethnic communities, friends, or family. Such findings suggest that employers employ migrants because they are migrants. As a nation of small businesses, New Zealand⁹ enterprises would be expected to exhibit such characteristics (Legg, Laird, Lamm, & Massey, 2010). In addition, the geographic isolation of many small enterprises and limited monitoring capacity of regulatory agents could predispose some employers to choose a 'low road' of employment (Vidal, 2013).

3.7.2 Migrant Employment Arrangements

A significant volume of overseas research indicates migrant workers more often work longer and more unsociable hours than many non-migrant, full-time workers in standard employment (Loh & Richardson, 2004; Quinlan & Mayhew, 2001) and are seen to accept unpredictable variations in employment conditions more readily than do citizens (Ethier, 1985). Migrant workers are also likely to be employed on a casual, part-time, seasonal, or on a job-conditional basis, where there is a 'permanent temporariness' in their working lives. This is further engendered by visa conditions and the pressure migrant workers may be under to accept poor employment conditions due to a lack of alternative work opportunities (Datta et al., 2007; Kaur, 2010; Shelley, 2007). Waldinger and Lichter (2003) state that the employment of migrants in poor working conditions is encouraged by the conception of migrants as the 'other'. By understanding migrants as different and accepting of inferior conditions, employers, regulators, and the general public are able to dismiss their mistreatment.

Moreover, work industries and types where migrants congregate are among those known to have poor worker protection, and limited union presence. This has led to a growth in exploitation at work, with migrants particularly vulnerable, in globalised patterns of extreme inequality (Craig, Waite, Lewis, & Skrivankova, 2015). In the authors' view, the disadvantage resides in the fact that these groups of workers exhibit a labour market status worse than the national average and bear a disproportionate share of the problems of labour market adjustment. They suggest that the indicators of labour market disadvantage are rates of unemployment well above the national average, low occupation/industrial status, lower level of earnings, and higher degree of labour turnover. The reasons for such disadvantage are generally agreed to be some combination of the

⁹ Ninety-seven percent of New Zealand businesses have fewer than 20 employees, five percent of which have 1-5 employees, the largest size after no employees (MBIE, 2017).

following: discrimination, non-labour market activities language difficulties, unequal productivity, limited access to education or training, the role of unions in the labour market, and lack of motivation. However, these are not quantified, nor ranked.

3.7.2.1 Remuneration and Hours of Work

Upon finding work, migrants may experience insufficient or incorrect compensation for hours worked (Clibborn & Wright, 2018; Theodore, Valenzuela Jr, & Meléndez, 2009; Tham, Campbell, & Boese, 2016). While this in part may be contributable to the work migrants undertake, labour market structures, discrimination, and racism are also contributors to this inequality (Hagey et al., 2001; Sharma, 2002). Moreover, some migrants may be unaware that their pay is below minimum entitlements, or economic dependence incapacitates them from taking advantage of their legal rights. Li (2017) argues that difficulties for temporary migrants to get a job in the formal economy due to language barriers, the flexibility of cash-in-hand jobs, and the low expectation that job-seekers have of co-ethnic employers increase the willingness of ethnic Chinese migrants to work in the cash economy in Australia (Li, 2017).

The difficulty in obtaining work also may make challenging terms and conditions difficult. Further, terms and conditions that were promised may not be realised. Formal employers can use underpayment of wages, or 'wage theft' to reduce their tax and social insurance payments and therefore labour costs by paying their formal employees an officially declared reduced hours payment, or a payment that is an undeclared wage, which is hidden from the authorities for tax purposes (Williams & Horodnic, 2017a).

The underpayment of migrants tends to take one of two forms:

1. migrants are paid rates below the legal minima; or
2. migrants are not paid for the hours they work.

However, consent may be implicit or explicit when a migrant accepts payment below the minimum wage, usually through a verbal contract. It could be assumed, therefore, that migrant workers' competition for work is not with those in the primary labour market (who are unlikely to accept secondary conditions), and their employer is not seeking workers engaged in the primary labour market, further discussed in Chapter Two: *Atkinson's Core and Peripheral Model (1984)*. Nonetheless, workers may not be paid at all or may work in conditions that violate their visa, thus making them illegal. Currently, little evidence exists on the prevalence and distribution of this illegal wage practice due to the small-scale qualitative nature of previous studies, including the researcher's own

(Anderson et al., 2012; Anderson & Naidu, 2010; Williams & Horodnic, 2017). Evidence also demonstrates that migrants endure considerable wage disadvantages upon arrival, which remains over an entire working life (Aydemir & Skuterud 2005; Campolieti, Gunderson, Timofeeva, & Tsirolnitchenko, 2013; Skuterud & Su, 2012).

Limited research suggests many migrants work far in excess of stipulated hours although information of this type is difficult to gather (for further discussion, see Chen & Madamba, 2000; Green et al., 2007). This phenomenon is of course tied to wages, where a worker may need to work long hours to make up for wage underpayment – but also a migrant worker's willingness to work long hours, take few holiday days, and do monotonous work (Harrison & Lloyd, 2012). A growing body of New Zealand media coverage has publicised cases of migrant exploitation where excessive hours were worked, Lincoln Tan reporting in 2013 of migrant workers being paid \$2 an hour to work in small businesses such as ethnic restaurants. The Union Network of Migrants (UNEMIG) Union coordinator Denis Maga said vulnerable migrant workers were being paid "next to nothing" to work in jobs that could not be filled locally, usually because of the poor working conditions, as illustrated by the following examples.

In November 2018, a Christchurch dairy was ordered to pay more than \$103,000 in unpaid wages and entitlements to a migrant worker who was working up to 92 hours a week for as little as \$1.98 an hour - the highest awarded by the Employment Relations Authority in a Labour Inspectorate case for breaches of minimum employment entitlements (Lewis & MacManus, 2018). In another case, a company Kishan Singh & Son's Ltd owned Pizza Hut franchises. The owner forced staff across his South Island operation to work more than their visas allowed and paid them less than minimum wage. One employee was forced to work seven days a week without overtime while employees on student visas were encouraged to work more than their visas allowed, then underpaid. Others he employed on work visas were only ever paid for 40 hours, despite some working up to 60 hours a week (ONE News, 2018). These cases are far from isolated, with widespread and frequent uncovering of migrant abuse cases domestically. Such circumstances have led to poor health and safety outcomes for migrants as a group, discussed next.

3.8 The Health and Safety of Migrants

While not all migrants work in unpleasant working environments, they may experience racism and marginalisation in their places of work as well as unsafe conditions. Combined with the conditionality of employment conditions and unclear employment legislation, migrants exhibit multiple health and safety vulnerabilities relative to the host population. Although the OHS of migrants is an emerging research area (Schenker, 2010), There is growing evidence that workers employed in informal work arrangements also have an above-average level of injury and illness and report higher levels of work-related stress compared with workers employed in more formal working arrangements within the primary labour market (Quinlan, Bohle, & Lamm., 2010; Nossar, Johnstone, & Quinlan, 2004; Virtanen et al., 2005). A study by Cambridge University researchers has revealed that flexible working practices are damaging employee health. Problems such as anxiety, stress, and depression occur when managers abuse flexible working to induce employees to accept an unpredictable employment schedule (Churchard, 2014). A 2001 literature review by Quinlan et al. found precarious employment was associated with a deterioration in OHS in terms of injury rates, disease risk, and hazard exposures, as well as knowledge of OHS and regulatory responsibilities.

A lack of knowledge about protective legislation and safety messages may also mean migrant workers are exposed to illegal practices without being aware. Wishnie (2004) argues that employment protection and minimum entitlements become ineffectual when vulnerable workers are less cognisant of their entitlements and their employers are less inclined to comply. Further, research indicates migrant workers are frequently exposed to hazardous work conditions and the accident, illness, and fatality rates are higher than for the general population (Bohle et al., 2004; Corvalan et al., 1994; Mekkodathil, El-Menyar, & Al-Thani, 2016), even if, as Walters (2001) rightfully points out, it is difficult to estimate the actual number of accidents involving migrants, especially in small enterprises. Schenker (2010) states that the common explanations for these rates include the assignment of more hazardous tasks to immigrant workers, failure of employers to invest in safety training and equipment, greater risk-taking by immigrant workers, and failure to complain about unsafe conditions by workers who may have precarious work status.

With migrant workers more often employed in low-skilled and low-paid occupations, with informal work arrangements and in small structures, they have greater exposure to poor working conditions than the domestic population. As discussed previously, ‘just in time’ labour forces and ‘permanent temporary’ workers have left many workers with diminished job security. Migrant work patterns are emblematic of these changes, often working in jobs often called the 3D jobs (Dirty, Dangerous and Demeaning jobs) (Connell, 1993; Irastorza, 2010; OECD, 2007; Tavin, 2006).

Risks may occur “through work-related tasks, equipment use, and chemical exposure, and poor health and safety outcomes can be seen in illness-related acute and chronic conditions, disabilities, and even fatalities” (Larson, 2001, p. 8). The exposure to monotonous and isolated work conditions of many of these jobs may cause further stress and pressured working conditions (McKay, Craw, & Chopra, 2006; Smith et al., 2010; Quinlan et al., 2001). Due to the long latency period of many medical illnesses, migrants will often return home before the symptoms manifest, eliminating the responsibility of the employer. The transfer of medical provision to the sending state absolves the responsibility of the workplace and employer where the exposure happened - as well as the host country - although tax contributions are likely to have been paid by the worker.

Migrants may also not declare accidents to the appropriate authorities because of a fear of losing their job, particularly if they are working illegally. Work isolation and language barriers also make it harder for workers to obtain recognition and compensation for occupational injuries and illnesses (Berretima, 2009). Given that wage compensation schemes are generally linked to permanent residency or citizenship, working entitlement, and formally recognised work (through legal employment and taxation), those who are working in breach of their visa conditions or illegally are likely to not be eligible for cover (Nielsen, 2015)

In addition, health can be looked at beyond a strictly medical paradigm to consider larger social, cultural, political, and economic contexts in which wellbeing may be defined. Health and safety outcomes are often linked with concepts of vulnerability, compounded by exposure to harm, higher rates of injury and illness, social exclusion and isolation, and access to compensation and benefits. For many migrants living in a foreign country, the deficit of community, support mechanisms, and representation can make their experience as migrants and workers lonely. Castells (2000) proposes that the borderline between social exclusion and daily survival is increasingly blurred for a growing number of workers, including migrants. Moreover, migrants are often marginalised and disengaged

from the economic and social structures in their new country by their temporary and non-voting status. Thus,

processes of social exclusion do not only affect the truly disadvantaged but those individuals and social categories who build their lives on a constant struggle to escape falling down to a stigmatised underworld of downgraded labour and socially disabled people (Castells, 2000, p. 376).

Multiple stressors as a result of their migration status may be experienced, including job uncertainty, poverty, social and geographic isolation, intense time pressures, poor housing conditions, separation from family, lack of recreation, and health and safety concerns (Hansen & Donohoe, 2003). Sargeant and Tucker (2009) link the vulnerability of individuals and the precariousness of the work they undertake, supposing that in combination these two factors lead to increased health and safety risks at work (further discussed in Chapter Two). While there is limited Australasian research, similarities with overseas findings are identified, where conditions of marginalisation result in poor progression in a number of life outcomes. These may include health-related issues and social exclusion (see Ethier, 1985; Reitz, 1998), as well as future opportunities. All have both short and longer-term health and safety consequences for migrant outcomes.

New Zealand has a poor record in workplace safety, labelled as a "national disgrace" in 2013 by one consultant (NZ Herald, 2013). It is roughly twice as dangerous to work in New Zealand as in Australia and almost four times as dangerous as working in Britain (Lilley, Samaranayaka, & Weiss, 2013). In a 2013 report, New Zealand was compared with nine other established market economies, ranking last for overall occupational safety performance, and in the lower half of the rankings for 8 of 13 International Standard Industry Classification (ISIC) major level industry classifications. Nonetheless, there is no robust data collection showing how many accidents and injuries are occurring within small and medium-sized enterprises (SMEs), partly because it is difficult to monitor them all. Further, other methods of data collection are also incomplete or inconsistent (for example, New Zealand coronial inquiries, Statistics NZ and the Household Labour Force data).

While extremely limited research focuses specifically on the health and safety of migrant workers in New Zealand, the inherent vulnerabilities migrants exhibit are recognised and often form part of the discussion around migrant worker experiences. A 2018 report for the E tū Union *Migrant Filipino Workers in the Construction Industry* reported uncertain work hours and delays in beginning work, inadequate living conditions, along with a lack

of understanding of safety rules, contributed to unease among workers. While the Filipinos tended not to argue or complain, they were scared. A support worker interviewed reported contacting ACC and was told there had been a 30 percent increase in accidents among foreign construction workers in Christchurch since 2014.

Research in the dairy sector found many migrant dairy farm workers from the Philippines were being abused, exploited, underpaid, and made to work in dangerous conditions. "There's a divided labour market in the dairy industry, and that harms both migrant workers and New Zealand workers", Dennis Maga, of UNEMIG said. A variety of health and safety issues were reported, including a lack of training or provision of protective equipment:

"I spray weeds with no protective gear", one South Island Filipino worker said.

"I just keep vomiting with all the chemicals I use".

(Tan, 2017).

Health and safety outcomes are often linked with concepts of vulnerability, compounded by exposure to harm, higher rates of injury and illness, social exclusion and isolation, and a lack of access to compensation and benefits. With migrants over-represented in industries that have high health and safety risks, combined with the characteristics of small businesses, variable language competence and minimal knowledge of protective legislation may predispose migrants to unsafe working conditions. With international students considered a migrant subset, the following section narrows the focus to their employment conditions.

3.9 International Student Employment

As demonstrated earlier, with the growth of the export education sector, international students have become an increasing area of interest. The connection between work in the host country, financial imperatives, and potential migration has been recognised by western governments, where most permit international students to work while studying. At present, full-time international students in virtually all OECD countries allow international students to work (typically 20 hours per week). While it is unknown what percentage of international students work, self-reported labour market participation based on the Survey of International Student Expenditure varied from 31-49 per cent for university students, 50-67 per cent for students enrolled with polytechnics, 55-67 per cent for those at private training establishments (PTEs) and 14-19 per cent for English

language students (MBIE, 2013). These findings indicate that during their time in New Zealand, between one third to two thirds of international students report having worked.

The following section discusses the employment arrangements and work characteristics of international students, providing the context to address similarities with migrants more generally.

3.9.1 Industry Concentration and Business Characteristics

Academic studies of the work experiences of international students during their studies are limited, but they suggest that international students are clustered in a narrow range of low-wage, low-skill jobs (Deumert Marginson, Nyland, Ramia, & Sawir, 2005). Identified is a high concentration of employment within the service industries, regardless of students' academic background (Broadbridge, Maxwell, & Ogden, 2007; Ford, Bosworth, & Wilson, 1995; Smith & Taylor, 1997). The most common jobs include shop sales assistants, supermarket checkout operators, and bar- and wait-staff (Curtis & Lucas, 2001). While many students accept part-time, menial jobs with little progression when studying, the conditionality of work, language difficulties, youth, and flexibility in the labour market could be assumed to make international students less protected than students more generally. Australian research concluded that international students cluster in low-paid industries where there is a high use of precarious forms of labour and minimal worker protection (Farbenblum & Berg, 2018). Such work has little task autonomy (Dobbin & Boychuk, 1999).

These findings were reemphasised by Tham et al. (2016), who interviewed international students as part of a case study of Melbourne's café, restaurant, and takeaway food services. This is a major sector of employment for young workers, especially full-time secondary school students and full-time tertiary students in Australia (Australian Bureau of Statistics, 2017), consistent with New Zealand (Kim, 2008; Human Rights Commission, 2011, Poulson, 2017). The 20 students reported poor working conditions, employment insecurity, and low wages - industry characteristics for all workers (Allan, Bamber, & Timo, 2002; Bloch & McKay, 2013). Co-ethnic exploitation was also evident in some cases although the majority of respondents worked in 'mainstream' restaurants and cafes outside their nationality.

In terms of gaining experience related to their study (and improving migration potential), Hunt et al. (2004) found only a minority of students reported that their part-time jobs were related to their university studies. Notably, the situation is different for those who study

hospitality or tourism majors where the practical element of their study makes their term-time employment in hotels or catering establishments more career-oriented (Barron & Anastasiadou, 2009). The link between education providers and the hotels and restaurants where work is undertaken raises some concerns about the appropriate role of unpaid work to gain the desired 'local' experience, as well as fulfil qualification requirements. This 'work experience' can be potentially considered a form of vulnerability (Helyer & Lee, 2014; Toncar & Cudmore, 2000).

In the researcher's first investigation, based in Auckland, for the size of the survey (n = 74), over half the international student workers (42) were clustered in the hospitality and service sectors while a small but significant number were in agriculture (12 in total) (see Table 3.4), typical of the New Zealand workforce (Callister & Didham, 2010), but also sectors where illegal workers are significantly represented (Allen & du Gay, 1994; Garson, 1999; ICFTU, 2001). The lack of professional work roles is consistent with Deloitte's 2008 findings that international students congregate in the primary sector in relatively unskilled positions. This indicates student migrants are concentrated in jobs at the periphery of the labour market (see Atkinson, 1984; Walsh & Deery, 1997). These findings are consistent with migrant employment sectors, discussed in Section 3.8.1.

Table 3.2. International Student Job Categories

Job category	Types of work
Manual labour	labourer, tiling, maintenance for a hire firm, light labouring, bulldozer operator, house painter
Agriculture/ horticulture	tomato packing, hothouse work, agricultural production, stable hand, milking cows, strawberry picking, fruit picking
Administration	receptionist, office administration, data entry
Retail	gift shop, clothing, checkout operator, fast food, cashier
Hospitality	bar waitress, bartender, pub work, translator, receptionist, delivery driver, dishwasher, waiting tables
Other	cleaning, paper round, factory work, housecleaning, computer repairs, car groomer, busboy, shelf stacker

Source: Anderson & Naidu, 2010, p. 65.

The next article was based in the horticultural sector, acknowledging the education and horticulture sectors as being New Zealand's two major export industries (International Graduate Insight Group Ltd, 2011; Horticulture NZ & New Zealand Institute of Plant and Food Research, 2010), magnified by the fact that these sectors intersect at the point of labour supply. Despite this connection, little research analyses the combined impact of the industries on the conditions of labour. Findings were that the horticultural sector was reliant on student migrants as an avenue for casual labour, while international students

took this work for financial reasons, flexibility in working arrangements, such as the availability of extra hours, and no or low barriers to entry. Further, the export education market is the medium through which such workers legitimately enter the country.

Until this thesis, no available New Zealand research has been undertaken looking at the sizes of businesses where international students congregate. Nonetheless, extant research indicates the employment sectors where international students are primarily located are within the service sectors, dominated by small to medium enterprises (SMEs). Indeed, given 89 percent of New Zealand businesses have 0-5 employees¹⁰, it can be assumed that international students are represented in these businesses. SMEs are a major driver of growth in New Zealand, typical of OECD economies (Morrison, 1999). Nonetheless, the lack of governance and business structures (Wright, 2017) and the short lifecycle of many businesses (Pinfold, 2000) have meant that temporary labour has a strong presence in the labour market. Given that small businesses are less likely to have formal HR systems and hiring practices or a clear hierarchy and systems in place, it can be assumed that relationship-based hiring, informal and flexible employment arrangements, and just-in-time hiring are evident. These conditions have a strong representation in migrant, and, by extension, international student work.

3.9.2 International Student Employment Arrangements

While international students enter the host country under the auspices of an educational visa, they will often seek work when studying for financial support and to gain local experience. However, while some global research indicates international students are over-represented in sectors where temporary and casual work is dominant, such as the service sector and hospitality, there has been a lack of focus on youth labour and on international students. This has meant that research has generally been on a relatively small scale and concentrated in particular sectors (see Anderson & Naidu, 2009; Anderson et al., 2012; Nyland et al., 2009). Further, the incomplete statistical information available captures *only* those engaged in the formal economy whereas the secondary labour market is where previous research indicates some of these workers will be situated. This means complexities arise in capturing data sets from such workers (see Coppel et al., 2001; Anderson et al., 2010).

¹⁰ 19 percent with 1-5 employees, and 7 percent with 6-19 employees, while 70 percent have zero employees (MBIE, 2017).

3.9.2.1 Remuneration and Hours of Work

Migrants have been documented in numerous studies working in positions that are precarious, below their qualifications, and have poor pay rates (Anderson, 2010; Bennett, 1993; Jayawera & Anderson, 2009). Nonetheless, limited research has followed international students working while studying, and their transition into work after study. This may be because international students are primarily considered as “students” rather than workers (by visa category and work limitations) and that their work is incidental. It may also be convenient for government regulatory and enforcement agencies to ignore this category, given that emerging research has indicated poor conditions of work for this group (see Anderson et al., 2011; Anderson & Lamm, 2012; Deumert et al., 2004; Hawthorne, 2008).

In Britain, early research by Ford et al. (1995) found that for students in general, the typical hourly rate for term-time employment was around the legal minimum wage level. This is not surprising given that the general types of jobs are unskilled and with a high turnover rate (Curtis & Lucas, 2001). While international students have similar characteristics to domestic students, as discussed earlier they have additional attributes that may make them more likely to accept employment conditions that are below the legal minima. A significant volume of research indicates that wage breaches are one of the main ways that international students are exploited (Anderson et al., 2012, Anderson, 2010; Reilly, 2013).

Tham et al.’s (2016) research indicates that precariousness in employment is widespread in the hospitality sector, centring on underpayment and non-payment of wages. Underpayments are most severe in what are typically regarded as ethnic cafés and restaurants (which concentrate on the employment of international students), but they are also widespread in mainstream cafes and restaurants, where international students share precarious work conditions with other workers. Similarly, a survey of international university students in Australia in 2015 indicated that 60 percent earned less than a legal minimum per hour (Clibborn 2015), consistent with a Korean international student survey suggesting 56 percent were paid under minimum wage (Kang, 2015). These findings mirror the earlier 2008 Australian survey, where Nyland et al. (2009, p. 175) identified that the remuneration given to students was below legal pay levels in 58 percent of cases.

In New Zealand, the researcher found that wage payments below legal minima were evident in her previous investigations. In the first, 38 percent reported being paid below the minimum wage. Of the 74 respondents, only seven were earning significantly above

minimum wage (\$20+ per hour), with most (n = 26) earning between \$12.50 and \$15.00¹¹, and a few (n = 13) earning between \$15.00 and \$20.00. A further investigation in 2012 focused on the horticulture sector, renowned for low pay and ‘under the table’ working arrangements (Underhill & Rimmer, 2016). All 94 international students were paid between \$8.00-11.00, an average wage of \$9.50, below the minimum wage rate at the time of \$12.75 (New Zealand Government, 2010), and many were not paid correctly for extra hours (see Anderson & Naidu, 2010; Anderson et al., 2012). These findings are congruent with Ross and Rasmussen’s (2009, p. 96) contention that “migrant workers are found working in horticulture under the table for as little as \$6 an hour (less than half the statutory wage at the time).” Illegal rates were therefore exponentially higher than the 2009 New Zealand Income Survey where only 4.2 per cent of 18-64 year olds reported being paid below the adult minimum wage.

However, MBIE’s 2013 survey findings negates the above body of research indicating high levels of below minima wage rates, estimating that around nine out of ten international students who reported working for pay in the past 12 months were being paid at or above the minimum wage (at that time \$13.50 an hour). This means that only one in ten (9.5 per cent) respondents reported being paid below the minimum wage. Nonetheless, these findings should be considered with caution as it could be assumed that some students would feel worried about reporting illegal treatment in an official government survey.

If international students are paid below minimum wage, it stands to reason that many will undertake extra hours of work to earn sufficient income. This is consistent with others engaging in low-skilled work, where the general trend is for longer hours further exacerbated by low pay rates (Boniface, 2007). However, Thamrin, Pasiniello, Guerin, and Rotmore’s 2018 study: *The Emerging Workforce of International University Student Workers: Injury Experience in an Australian University* found only 13 per cent of international students reported working 20 hours or more per week, consistent with Berg and Farbenblum’s (2017) discovery that two-thirds (64%) of international students reported working between 9 and 20 hours each week. These findings are inconsistent with the UK research of Anderson et al (2010), indicating that many international student workers breach their visa conditions by working over 20 hours a week. Nevertheless, as Nyland et al. (2009) state, working over the visa limitations in Australia involves mandatory withdrawal of a visa, consistent with New Zealand’s immigration responses

¹¹ The minimum wage rate at the times of research was \$12.50 (Employment New Zealand, 2017).

to some visa breaches. From this perspective, it is reasonable to assume that some respondents in the previous studies were not prepared to admit they worked more than 20 hours.

The researcher's first investigation in 2009 found survey responses indicated the majority of respondents worked between 15-20 hours per week (42, or 56.8 %). However, the second largest proportion admitted typically working over twenty hours (22, or 29.7%), while eight declared they worked fulltime (40 hours or more). This means over a third of the sample were working in clear violation of their visa conditions. In 2012 research in the horticulture sector, all survey respondents reported working more than 20 hours¹² as the norm. The average hours worked per week were 29 hours and the spread of hours between 16 and 55, perhaps due to the seasonal nature of most horticultural work, where high hours are available, but only for a limited time (Anderson et al., 2012). Thus, the *choice* of working long hours was often a *claytons' choice* where hours were not necessarily guaranteed in employment contracts or in practice.

Comparative research of term-time employment by domestic and international students by Wang in 2011 found that for Chinese international student respondents the mean number of working hours per week was 13.7, ranging from 3 to 32 hours, with the median being 14. As required by the immigration regulations for international students, 93.8 percent reported working within the legal limit, while the remaining 6.2 percent were working in excess of the legal hours. While work in breach of hourly restrictions is concerning, research about tertiary students working generally focuses on the negative impact of taking term-time employment on students' academic performance (Callender & Kemp, 2000; Paton-Saltzberg & Lindsay, 1994; Robotham, 2009). In Australia the adverse effects of working while studying have been highlighted by McDonald et al. (2007) while Neill, Mulholland, Ross, and Leckey (2004) identify 15 hours of work as a point beyond which "there may be a detrimental effect on academic performance" (p. 136). A significant proportion of students also believe that taking part-time jobs has a negative effect on their academic work in terms of academic grades and reduced time for study (Barron & Anastasiadou, 2009; Buie, 2001; Manthei & Gilmore, 2005).

Although trends of both long and legal hours are indicated by different investigations, of concern is that a significant portion of young, temporary, potentially vulnerable workers

¹² New Zealand immigration laws restrict international students' work to 20 hours per week during the academic year as their first priority is considered to be study. This is consistent with Australian law and the UK for tertiary students studying at degree level.

are violating visa terms, which may make them illegal migrants (Hawthorne, 2009; Marginson, 2012; Vrachnas, Bagric, Dimopoulos, & Pathinayake, 2012). Working outside regulations will form a significant component of the quality of work undertaken, discussed following.

3.9.2.2 The Job Quality of International Students'

Job quality influences OHS outcomes for international students, and, as the previous literature shows, poor job quality is often characterised by low-skilled, menial, and tedious work that is low-paid and with long hours evident for many. While job quality is measured through wages, functions, and OTP in Vidal's 2013 framework discussed in Chapter Two, Kalleberg and Epstein (2001) look at job quality as being linked to the dimensions of work, including:

- length of contract: temporal control is stronger with the rise of nonstandard work, and the time-money exchange is particularly apparent in contingent, temporary work.
- working time (when to work). Irregular hours, weekend and evening work.
- lack of control of hours and flexibility disposes people towards poor job quality.
- job tasks- explicit in more entry-level jobs, and in the volume of work. A lack of control at work is not unique.
- labour conflicts.

International student employment typically being of a temporary nature with contingent features, non-standard hours, repetitive tasks, and a lack of control, combined with potential for disempowerment and a power imbalance, can mean that work is poor quality by all measures. Clark (1998, in Tucker, 2002, p. 26) uses the "job quality count" to assess who has the "good jobs". Seven variables are measured:

pay; hours of work (both overwork and underwork); future prospects (opportunities for advancement); job security; how difficult the job is; job content (interest, prestige, and independence); interpersonal relationships (with co-workers and with management). These are all argued to be important parts of a good job, from the worker's point of view, or of job satisfaction.

The presence or absence of such terms and conditions can be used for quickly ascertaining key job attributes and therefore quality (see Vidal, 2013, in Chapter Two). The service sector domination of jobs international students congregate in may also have monotonous and isolated work conditions (McKay et al., 2006; Quinlan et al., 2001; Smith et al.,

2010). Nevertheless, the working conditions some labour under are a greater cause for concern. For example, in September (2016), it was reported that some Indian students were turning to sex work because they could not find other employment. New Zealand Prostitutes' Collective national coordinator Catherine Healy said students from a variety of countries were working in New Zealand's sex industry, but there were few of them. However, she said the women were vulnerable because immigration law forbids foreign students from working in the sex industry. That meant they feared deportation if their work was discovered and were less likely to complain about mistreatment or exploitation (SBS, 2016)¹³. It stands to reason therefore that their OHS may also be compromised.

3.10 The Health and Safety of International Students

The global literature has explored migrant working conditions in detail, primarily in industries where migrant workers congregate such as the service sector, agriculture, and horticulture (Frances, Barrientos, & Rogaly, 2005; Rogaly, 2008; Underhill & Rimmer, 2008), or detailing dirty, dangerous, and demanding conditions (Connell, 1993; Irastorza, 2010; OECD, 2007; Theodore et al., 2009). This focus reflects the illegal or indentured entry into host countries in many cases, the nature of the work undertaken, and the often exploitative conditions migrants labour under. By contrast, international students enter the country legally on a student visa, have a legal limitation on their working hours and could be considered more privileged than the average migrant - considering the financial undertaking studying overseas entails. As a result, there is very limited literature specifically relating to international student occupational health and safety.

There is growing evidence that workers employed in informal work arrangements also have an above-average level of injury and illness and report higher levels of work-related stress compared with workers employed in more formal working arrangements within the primary labour market (Quinlan et al., 2010; Virtanen et al., 2005). In particular, there is emerging research to indicate migrant workers are frequently exposed to hazardous work conditions and have higher rates of injury and illness compared to non-migrant

¹³ And statistics back this fear. A total of 553 student visa holders were deported from New Zealand from 2010 to October 24, 2015. Reasons for student deportations included criminal convictions, illegal work and expulsion by an education provider. The three most common nationalities of deported students were Chinese, Indian and Fijian.

workers in standard employment (Bohle et al., 2004; McKay et al., 2006). Age and skill level also impacts accident and injury levels (Cellier, Eyrolle, & Bertrand, 1995).

Thamrin et al.'s (2018) investigation conducted research with a specific focus on international students' OHS outcomes. They acknowledged qualitative studies highlighting vulnerabilities, but a shortage of quantitative research exploring risk factors and injury outcomes. To rectify this oversight, 466 university international student workers in a single Australian university completed an online survey. The sectors where respondents worked were overwhelmingly in the service sector - more than 42 percent of participants reported that they had working experiences in the restaurant sector, supermarket/grocery/shop sector, followed by the cleaning and agriculture sectors. Sixty-one percent did not receive any safety training before they started work (compulsory under legislation). Forty-eight of the sample (10.3%) had experienced a workplace injury, nearly half (43%) after completing safety training. Cuts and lacerations were the most common injury type (70%), followed by burns, (38%), strains, (17%), and injuries from slips/falls (17%).

This researcher's 2012 horticultural sector investigation found hazardous working environments, lack of protective gear, stress and fatigue, and working in the heat for long hours were mentioned, while 82 percent of survey respondents felt unsafe in their place of work. Injuries included strains from heavy and repetitive movements and chemical irritations from crop spraying. Of 12 students interviewed, three had received work training, none received OHS training, and no formal health and safety brochures or guidelines were made available. None had reported work injuries to Accident Compensation Corporation (ACC) due to fear that they or their places of work would be identified.

Under the 2015 Health and Safety at Work Act (HSWA), employers are legally responsible for ensuring, so far as it is reasonably practicable, the health, safety, and welfare of their employees, regardless of size, level of risk, or the type of work carried out. This means there is organisational responsibility to:

- ensure workers' views on matters that could affect their health and safety are asked for and considered (engagement)
- have clear and ongoing ways for workers to raise concerns or suggest improvements on a day-to-day basis (participation). This may include having elected health and safety representatives (HSWA, 2015).

Of relevance to OHS and engagement with formal institutions is international student inclusion and exclusion, discussed following.

3.10.1 International Student Inclusion and Exclusion

When Jane Jensen mapped dimensions of social cohesion in the late 1990s, she focused on employment and social rights as the route to increasing social cohesion for individuals (Jensen, 1998; Tokman, 2007). By analysing social exclusion (defined as a multidimensional complex of reasons for marginality), the key measurements were identified as:

- belonging (as opposed to isolation)
- participation (as opposed to non-involvement)
- inclusion (as opposed to exclusion)
- recognition (as opposed to rejection)
- legitimacy (as opposed to illegitimacy).

Walker and Wigfield (2004) further define social inclusion as the degree to which people are and feel integrated into the different relationships, organisations, and structures that constitute everyday life, whereas social exclusion is the denial of these different dimensions of citizenship (Grey & Sturdy, 2007; Ross, 1997). These characteristics are consistent with Berghman's 1995 definition of social exclusion as a malfunctioning of the social systems that should guarantee full citizenship, including: the democratic and legal system providing civic integration; the labour market providing economic integration; the welfare system, providing social integration; and the family and community system, providing interpersonal integration.

For international students, participation, inclusion, and legitimacy are particularly compromised by their temporary non-citizen status, lack of representation in civil society, transferring to new cultural norms, different languages, bureaucratic and regulatory processes, and a lack of social support mechanisms in many cases. Phillips (2008) posits that migration has a major impact on inclusion, exclusion, and cohesion in the migrants' country of settlement although definitions of the terms are "all very abstract" (p.3). More specifically, Ward (2008) investigated domestic students' interaction with international students, finding that while attitudes and toward international students were moderately positive, the amount of contact and number of intercultural friendships between New Zealand and international students were low and the frequency of interaction rare. Also

signalled was the potential for *backlash* against international students in institutions with high international enrolments.

When widening the lens to include physical and mental health and wellbeing, international students undertaking tertiary study encounter more complexities and challenges than the average domestic student, with movement away from home, family, language, an unfamiliar culture, as well as academic challenges. Combined with learning in another language and study pressures, there is some evidence that international students are at high risk of psychological problems (Mori, 2000; Sandhu & Asrabadi, 1994; Ward, Leong, & Low, 2004). As a counter, Rosenthal, Russell, and Thomson (2008) conducted a mail-back survey of international student health and wellbeing at a large Australian university (n=979, 64% females). Most students evaluated their physical and mental health positively, with little change in health or risk behaviours since coming to Australia. While demographic or situational variables, including age and gender, had little impact on students' wellbeing, some experienced exclusion and verbal abuse, with about one-third of students experiencing exclusion and more than one-quarter having been verbally abused.

The day-to-day reality then is that international students are predisposed to worse OHS outcomes relative to the host population, based around assumptions of international students working in employment sectors and conditions similar to migrants more generally. This thesis sought to expand investigation in this area as migrant status alone is not a factor that should cause differential occupational health and safety outcomes. Adverse outcomes are more likely to be related to variables associated with migrant status, such as lack of English language proficiency, or occupation, and they are likely to be modified by other factors, such as age and duration of residence. These factors guide the focus on evidence of the spill-over from international student to potentially vulnerable worker, discussed in the following section.

3.11 International Students as Vulnerable Workers?

Influences of globalisation and labour migration along with changes in employment environments within New Zealand have resulted in certain groups of workers congregating at the periphery of the labour market, with insecure, unstable, and often unprotected conditions (refer to Chapter Two Theoretical Models and Migrants as Vulnerable Workers). A great deal of the empirical work and conceptualisation on the vulnerability of workers starts with the premise that precarious employment is at the heart

of the problem (see Fineman, 2008; Sargeant & Tucker, 2009; Standing, 2011; Quinlan & Mayhew, 2001; Tucker, 2002), while other literature concentrates on how migration status contributes to precarious employment. Fudge (2012) contends that precarious work has become so commonplace that it may displace the standard employment relationship as the prevailing employment norm even in high-income countries. Workers in precarious employment lose influence, individually and collectively, over working conditions, the pace of work, and their wages (Demerouti, Kattenbach, & Nachreiner, 2003; Evans & Gibb, 2009).

With a lack of investment in training, few opportunities for progression, little organisational commitment, potentially menial and dangerous work conditions signposted in research, Cochrane and Rosenberg (2015, p. 6) contend that “three indicators play a significant role in determining the relative precariousness of a job: ‘certainty of ongoing employment’, ‘degree of regulatory and union protection’ and ‘degree of employee control.’ The absence of these indicators are often associated with nonstandard employment types such as part-time, fixed-term, and temporary, while investigation of the literature has clearly shown the link between precarious work and worker vulnerability (see Green et al., 2007; Quinlan & Mayhew, 2001; Sargeant & Tucker, 2009; Underhill & Rimmer, 2016). Moreover, the inability of vulnerable workers to enforce their contract or statutory rights creates a situation of the commodification of workers, as well as creating workers for positions no one else is prepared to accept.

While the researcher’s own work found that a contractual ‘agreement’ was no means to mitigate employment exploitation (Anderson et al., 2012) or a guarantee of good working conditions, a report by the NZCTU in 2013 *Under Pressure: A Detailed Report into Insecure Work in New Zealand*, signposted the lack of a contract as an indicator of “uncertainty over how long the job lasts, fluctuating hours, low and/ or variable pay, limited access to benefits such as sick leave and domestic leave, limited opportunities to gain skills, and a lack of rights and union representation.” (p. 3). For international students with employment conditionality such as hours, a lack of ‘agreement’ could well lead them to breach their visa conditions. Guthman (2004) premises that this vulnerability is used to ensure compliance in the labour force as these are core jobs on which the industry is reliant, but for peripheral wages (Anderson & Naidu, 2009; Walsh & Deery, 1997). This peripheral work creates a workforce without comprehensive rights even though the jobs are economically essential.

Highlighting the factors that contribute to the vulnerability of workers has also been part of a wider discussion that includes the ILO's Decent Work Agenda, discussed later in this chapter. In particular, researchers have begun to make a link between precarious and hazardous employment, conditions, poor pay, low union density, and the use of vulnerable workers (see Ehrlich, McClellan, Ducatman, Helmkamp, & Islam, 2004; Funkhouser, 1993; Pollert & Charlwood, 2009; Quinlan et al., 2010; Sargeant, 2009; TUC, 2008), recognising that there are degrees of vulnerability whereby some individuals and groups are more exposed to exploitation than others (Sargeant & Tucker, 2009). Vulnerability may be increased when employed in jobs characterised by low wages, insecurity, and unclear employment relations legislation (Haque, 2002; Mackenzie & Forde, 2009).

Nonetheless, until more recently international students were not typically characterised as emblematic of a vulnerable worker (Anderson, 2014; Goos & Manning, 2007; Pollert & Charlwood, 2009) although a large volume of literature looked at other potential vulnerabilities of the international student experience. Early enquiry was mainly from Australia: Baas' (2006) investigation of Indian students described them as 'cash cows' who are 'milked' by an exploitive system based on their dreams of achieving residency, while 2007 research by McDonald et al. noted that student workers are vulnerable to employer exploitation because of their limited work skills, high unemployment, under-employment, and poor knowledge of their rights. Nonetheless, feeling exploited is subjective, yet exploitation can be estimated by indicators such as whether the exchange of labor is equal or involves coercion (Marx, 1961 [1894]), in Li, 2017, p. 920).

A 2009 article first introduced international students as vulnerable workers. *International Student-Workers in Australia: A New Vulnerable Workforce* by Nyland et al. stated that international student workers had not previously made an appearance in the labour studies literature and were ignored in debates around the protection of vulnerable employees. They depicted the working experience of 200 international students studying in Australian higher education institutions, finding poor job quality, exploitative wage rates, exploitation within communities, and labour market discrimination. Nearly 60 percent earned between AU\$7 and AU\$15, well below the legal minimum wage. Of note was that universities were the biggest employer (31%), followed by the hospitality industry (26%), and professional industries (16%).

The following year this researcher conducted exploratory research in New Zealand focused on international students and the potential reach of the ILO to mitigate

international student work concerns (Anderson & Naidu, 2010). Indicators of vulnerability were identified, namely working hours in excess of visa conditions, rates of pay below legal minima, and insecurity of work, either through lack of contractual coverage or the type of work performed. Many found their work was poorly remunerated, often unmonitored, sometimes dangerous, and, at worst, illegal. Robertson (2011, p. 2195) suggests that international students "... often teeter on the edges of legality, with minor breaches in visa conditions, such as noncompletion of courses or working over twenty hours a week, able to rapidly render them illegal and open to deportation." Although this researcher's and colleagues' (2012) horticultural research was a self-selected sample, it revealed the particular vulnerabilities of international students in some industries. The growth of the horticulture (and agriculture) industry, combined with the perception among domestic students that the work offered is undesirable, appears to lead employers to employ international students as a source of labour.

In 2013, an MBIE report outlined the extent to which international students are working in non-compliant employment and possible reasons it is occurring. Key findings were that an accurate assessment of the size of the issue is difficult because of:

- the hidden nature of employment below minimum standards
- the reluctance of those potentially in breach of their visa conditions, or unaware of their rights, to complain
- the casual or part-time basis of most international students' employment. viewed as being indicative only (p. 1).

It was acknowledged that while the researcher's own small scale studies identified high levels of non-compliance (p. 3), they were too small to reliably identify the extent to which international students experience non-compliant employment practices while working in New Zealand. Recognised was that some students may be reluctant to report breaches of employment rights, such as underpayment, because of fear of immigration consequences.

Further, a 2014 MBIE report titled *Temporary Migrants as Vulnerable Workers: A literature review* included five pages focused primarily on overseas research on international students, acknowledging that "very few studies consider international students as young workers who are exposed to exploitative or even illegal work practices." (p. 41). Previously discussed in Chapter Four: Methodology, data of this type

is difficult to gather or measure due to student mistrust and the self-report element and continues to be limited. Nonetheless, given the ongoing research findings, international students must be better included as part of the vulnerable-worker debate (Nyland et al., 2009). The desire to transition from study to work can compound rather than reduce labour market vulnerabilities

3.12 The Transition of International Students in New Zealand

For international students studying overseas, the ability to stay following completion of their studies, either temporarily or looking long term, has been a primary motivation to pursue international education. However, “there are disparities between expectations and realities, because the proportion of students wanting to stay on is often higher than the proportion who actually achieves this goal.” (Bedford & Ho, 2006, p.6). Although Education New Zealand’s recently set goals for 2018-30 make no mention of international students as labour market participants (see ENZ, 2018), at least some will continue to pursue tightening work avenues (Dhaliwal & Forkert, 2016; Yukich, 2013). In a climate of high demand for skilled labour, international students can play an important role in the labour market through their labour participation post study. Nonetheless, canvassing of the international and domestic research indicates that many international students do not transition from temporary to full-time standard work to fill skills shortages, and nor do they improve their working conditions. This section reviews literature about whether or not international students progress in the labour market and to permanent residency.

International students make very attractive migrants for host countries for a variety of reasons. Firstly, they make a significant financial investment in the country prior to their entry, so provide an economic advantage over most other migrant categories (investment visas excluded). Secondly, they improve the recruiting country’s pool of educated workers with minimal investment from the host country - part of two step migration (Hawthorne, 2010). Thirdly, with many western societies having low birth rates and ageing working populations, enabling young people at the beginning of their working lives helps reverse the demographic trends. Finally, the prospect of migration gives some countries an advantage in recruiting fee-paying international students, which is particularly significant in countries in which education is a major export industry (such as New Zealand) (Hawthorne, 2010, 2009; Zigurasa & Lawb, 2006).

While international students post study could be presumed to have high human capital in terms of education and often local work experience, some research reveals that many

continue to cluster in low-skilled, poor quality work environments (Findlay, King, Smith, Geddes, & Skeldon, 2012) despite increasingly being regarded as a subgroup of skilled migration (Hawthorne, 2009; Mosnaega & Winther, 2012). This discovery is in parallel to earlier findings that many migrant workers starting employment in marginalised working conditions fail to make successful transitions into wage employment and instead remain reliant on precarious jobs (Aydemir & Skuterud, 2005; Bauder, 2006; Jimenez-Zamora, 1999). The phenomenon may be because of certain low-wage jobs becoming associated with migrant labour, where whole sectors of advanced industrial economies become structurally dependent on immigrant labour (Cornelius & Rosenblum, 2005).

Dean (2018) highlights a skills mismatch where, despite having high levels of education, migrants endure substantial earnings disadvantages upon arrival that persist throughout their working careers. Further, the OECD (2007) found that immigrants were more likely than native-born workers to hold jobs for which they were over-qualified and that a considerable number of migrants may be working below their qualifications in all of the OECD countries – nearly 50 percent on average (or at least 25 percent) of skilled immigrants were “inactive, unemployed or confined to jobs for which they are over-qualified.” (Wickramasekara, p.150, in Tejada & Bolay, 2010). ILO studies reveal that more than one in every three qualified migrant applicants is unfairly excluded in employment selection procedures in several Western industrialised countries (ILO, 2007, in Syed, 2008).

Standing (2008) suggests that workers who take a number of temporary jobs may use them to progress to more secure work. However, there is a risk that a pattern of short-term, temporary employment relationships may lead to the opposite of a path to regular employment. This may “lead to workers becoming ‘type-cast’ or trapped in an ongoing series or pattern of precarious employment relationships.” (Evans & Gibb, 2009, p. 39). Moreover, professional protectionism and systemic ‘blocks’ in many sectors mean that migrants are unable to enter the labour market at a comparable experience/skill level without substantial financial and time investment in many cases (for example, medicine and law), and many migrants who gain entry through a skilled migration category are unable to practise their professions: “everyone has heard of migrant engineers driving taxi cabs.” (OECD, 2007, p. 33).

The concept of migrants and international students as the ‘other’, working in sectors that are largely invisible to host nationals and in marginalised or exploitative conditions means access to mobility channels for progression may be inhibited (Portes, 2008). This “must

be seen in a larger labour market context where systemic racism operates to push racialized workers into lower-paid, lower status jobs with lower rates of unionization and greater precarity than white workers...” (Choudry & Henaway, 2012, p. 47). The exclusion from some standard work with collective representation, temporary visa categorisation, and representation in low-status jobs shows clear labour market demarcation (Atkinson, 1984; Burgess & Campbell, 1998).

While limited research exists specifically looking at the transition of international students following study completion, Robertson (2011) explains the intersection of education and migration policies in Australia, “... facilitated a fundamental shift from international students as transients/sojourners to potential residents/workers/citizens...” (p. 2193). While work opportunities during and after study were designed as an incentive to attract students and also fill skills shortages, early on concerns were raised by Australian academics that international students were not integrating into the labour market (Birrell, Healy, & Kinnaird 2009, 2007; Hawthorne, 2010; Rafi & Lewis, 2013). Nonetheless, Bedford and Ho (2006, p. 52/53) contend that Australia has managed its selection of skilled migrants much more closely than New Zealand in terms of qualification and skill alignment to jobs, and while including international students with Australian education and work experience in their skilled migrant stream. In New Zealand, the international education sector as a whole has done little to align qualifications and skills with demand in the labour market and jobs. This a major weakness in skills-matching and does not bode well for many international students.

A 2007 survey undertaken for the Ministry of Education shows that 48 percent of the international tertiary students intended to work in New Zealand on completion of their studies, and a high proportion of international students also intended to seek permanent residency (Deloitte, 2008). These findings were consistent with Ho et al.’s (2007) study of Chinese students, which found that the intention to stay in New Zealand following study was high: of the 80 students interviewed, 71 percent planned to look for work in New Zealand after they completed their studies, while 68 percent planned to apply for permanent residency.

Despite these intentions, the Ministry of Education and the Department of Labour’s (in Deloitte, 2008) report indicated that 73 percent of students surveyed did not transition to work or residency, and most had left New Zealand within five years of getting their first student visa. In 2010, the Department of Labour published *Life After Study: International students’ settlement experiences in New Zealand*, providing data about former

international students who successfully transitioned to work and residency. Rates of transition to work and residency varied considerably between nationalities, where migration was a greater driver for students from developing countries such as India and China. An analysis of records from 1997 to 2006 showed only 23 percent of fee-paying international students transitioned to work, with over half (57%) of these making the subsequent transition to residency. A further 8 percent made a direct transition from study to residency. Overall, 21 percent of fee-paying international students transitioned to permanent residency. The predominant pathway to residency was through the Skilled Migrant Category, with students studying at institutes of technology and polytechnics more likely than other students to transition than university students. These older findings indicate a very low transition both into work and permanent residency.

Recent research conducted by Park (2017) used statistical analysis to ascertain what international graduates do and earn after they complete their tertiary education studies in New Zealand. Key findings were that two-thirds (66 percent) of all first student visa (FSV) holders in 2009 were overseas five years after they obtained their FSV¹⁴. Employment rates in the first year after study were highest for those completing a graduate certificate or diploma, a Level 5-7 certificate or diploma or a Doctor of Philosophy (PhD), at 63 percent, 51 percent, and 45 percent respectively.

The analysis also showed that young, international bachelors-degree graduates who worked in New Zealand following completion of their studies tended to earn less than comparable domestic graduates, where earnings are lower for international bachelors-degree graduates who complete qualifications in management and commerce or society and culture, with the exception of those who studied nursing or medicine. Nonetheless, outcomes for international students were said to vary according to which country the graduates come from. For example, Indian graduates are less likely to return overseas when they have completed their studies (Park, 2017).

Further, 2018 reforms have meant the advent of the Post Study Work Visa Open comes with open work rights for one, two, or three years and will not require the support of an employment offer or employer (more detail is provided in Section 3.13.1). Of concern has been the decoupling of work linked to study qualifications, meaning many international students will undertake jobs that are not at a professional level and will not

¹⁴ However, this depended on qualification completion, where 51 percent of students who completed a qualification versus 87 percent of students who do not complete a qualification were overseas five years after obtaining their FSV.

transition to a longer-term visa. These ‘working holiday’ type conditions further narrow the potential for permanent residency in many cases and will develop into unchosen circular migration for increasing numbers (King, 2000). Immigration Minister Iain Lees-Galloway said the changes would help ensure international students coming to New Zealand gained in-demand skills for economic growth, encourage students to study "in the regions", and would help reduce the risk of student exploitation. The changes have been prompted in part by concerns foreign students are taking up lower-level courses as a backdoor to immigration (Devlin & Pullar-Strecker, 2018). The role of protective mechanisms for international students is presented next.

3.13 Regulation, Monitoring, and Enforcement

From the literature previously presented, educational and worker mobility is a privilege unevenly distributed, along with the availability to access protective measures to mitigate poor workplace treatment. For international students’ entry as educational migrants, treatment as a contingent temporary workers, then transition to work following study, a number of different pieces of legislation have relevance for underpinning their migration and employment environments in New Zealand. With international student working characteristics indicating significant areas for concern, it was necessary to evaluate the regulation, monitoring, and enforcement mechanisms for international students working, as well as the union role. While presented in some detail in Chapter One: Introduction and Chapter Two theoretical literature, these protective parameters are discussed with specific reference to international students in New Zealand, beginning with immigration legislation.

3.13.1 Immigration and Employment Legislation

New Zealand has a long history of formal migration programmes with a strong tradition of permanent settlement. Nonetheless, while the connection between study and migration is not a recent phenomenon, the policy setting of linking study and migration is new as it did not exist until the late 1990s to address skilled labour shortages and economic development. As a result of the positive policy settings towards students seeking residency, international education grew significantly. Following suggestions that New Zealand’s government policy was not as attractive as other competitor countries (Li & Green, 2003), key stakeholders including Education NZ and industry representatives became involved in the government strategic planning.

Considering feedback from the industry, in 2005 student policy changes strengthened the link between study and work to focus on attracting and developing students who had the desired skills and talent (Suter & Jandl, 2006). This was the first and only significant reform of the export education sector regulations until 2018. The aim of these changes was to make New Zealand a more competitive destination for international students by easing the work restrictions for students and their partners and creating pathways to work post study and increasing potential settlement avenues. Amendments included:

- international students who graduated from a course that would gain points under the Skilled Migrant Category (SMC) gained eligibility for a 12-month open work permit (Graduate Job Search permit)
- the group of students who were able to apply for a two-year post-study work permit to obtain practical work experience relevant to their qualification was expanded
- eligible students able to work for up to 20 hours a week during term
- anyone undertaking a course of 12 months or more could apply to work full time over the summer holidays
- partners of students studying in areas of absolute skill shortage and partners of all postgraduate students could apply for an open work permit valid for the duration of the student's course of study.

Work restrictions for international students were reduced and the hours students could work were also extended (Immigration NZ, 2018b; Merwood, 2007). Many international graduates could transition from study to work with ease if an offer of employment was secured, then transitioning to residency if their employment was in the relevant field of study. It was reported that one in five international students, after being issued their first student visa, obtained residency within five years through the study-migration pathway (Department of Labour, 2010a).

The 2009 Immigration Act was introduced to oversee the compliance regime for secure borders and to set the criteria for visa issuing to ensure that New Zealand could gain the labour, skills, and talent needed to encourage economic growth. The Act limited the duration of permits for low-skilled immigrant workers to one year and removed some occupations from the Essential Skills in Demand and LTSSL. These changes signalled a move towards a model of migration that ranks migrants according to their ability to provide effective human capital, where points are awarded based on an applicant's age, education qualification, suitability for jobs on the Skills Shortage List, professional skills,

relevant work experiences, and employability. International students were therefore able to gain points by undertaking study in New Zealand.

The Immigration Amendment Bill 2015 extended the scope of Immigration Act 2009, by:

- protecting migrant workers from exploitation
- strengthening the immigration compliance regime (Immigration New Zealand, 2018).

Exploitation of lawful temporary migrants (including international students) became an offence, and to make employers who exploit migrant workers, or knowingly employ migrant workers without work rights, liable for deportation if the offence was committed within the first ten years of their gaining a residence visa. Also increased were the powers available to immigration officers to enter and search employers' premises and talk to people present to identify offending by employers (MBIE, 2013). The Amendments were as a result of the increasing number of allegations of employment exploitation that had been appearing in the media and concern from government agencies over migrant protection (MBIE, 2013; McLeod & Maré, 2013).

In November 2018, substantial changes to post-study work rights for international students were legislated, where key changes were:

- removal of the employer-assisted post-study work visas at all levels
- provision of a one-year post-study open work visa for students studying for below-degree courses, with an additional year for Graduate Diploma graduates who are working towards registration with a professional or trade body
- availability of a two-year post-study open work visa for students studying below-degree courses and non-degree Level 7 qualifications outside Auckland, if study is completed by December 2021
- degree Level 7 or above qualifications were given a three-year post-study open work visa
- requiring international students studying Level 8 qualifications to be in an area specified on the LTSSL for their partner to be eligible for an open work visa (Jolliff, 2018; MBIE, 2018).

Justification for the changes was the significant growth in the international education sector over the last few years, especially in below degree level qualifications. This growth had resulted in a decline in the skill level of people moving through the immigration

system and granted permanent residency (Jolliff, 2018). Immigration Minister Iain Lees-Galloway said the pathway from study to residency is clear, "It's focused on the skills we need to grow our economy," he said. "Those differ at any point in time but are currently anything to do with building - for example plumbing, gas-fitting or drain-laying." Universities New Zealand executive director Chris Whelan said students are now likely to seek higher qualifications (Gerritsen, 2019). The tightening of avenues for permanent residency was a reverse of earlier policies that had attracted international students to live and study in New Zealand, indicated by the lowered targets for transfer to residency (Jolliff, 2018).

While the state regulates labour supply through its migration policy (Institute for Public Policy Research, 2005; Rogaly, 2008), employment policy provides the day-to-day framework that most workers labour under. In common with Australia, international students enter the domestic employment market with no dedicated legal regime for their protection (Chiou, 2014), although domestic legislation covers international students in terms of employment conditions and minima (for example, The Employment Relations Act, 2000; The Equal Pay Act, 1972, Minimum Wage Act, 1983, Holidays Act, 2003), employment discrimination (Human Rights Act, 1993), and occupational health and safety (Health and Safety at Work, 2015), plus others. Nevertheless, the temporary nature of international student visas and limitations on working hours mean international students have fewer rights in the labour market compared to domestic workers. Policies that limit migrants' labour rights in this way often have detrimental effects similar to those that affect illegal migrants (Cornelius & Rosenblum, 2005; Koslowski, 2000).

Pécoud and de Guchteneire (2005) believe that the differential treatment of migrants in the labour market, when compared to domestic workers, embeds inequality in terms of status and representation, claiming:

What seems obvious is that all people residing in a given country should have the same access to a minimal set of rights, including civil rights and social rights to education, health services and housing. This corresponds to a basic ethical principle and to the idea that all human beings should have access to fundamental rights, a notion that lies at the heart of the United Nations International Convention on Migrants' Rights. (p. 19)

However, with nation states uncommitted to legislation mandating equal treatment regardless of migration category, the propensity toward migrant exploitation is increased by differential treatment in multiple areas of potential migrant engagement. A key factor

is representation – non-citizens in New Zealand have no right to vote, and their interests have no direct parliamentary influence in terms of regulatory framework reform. Therefore, in decision making concerning them they have no input, despite their participation in the labour market and assumed payment of tax. With Section 8.6.7 asserting that international students must be considered when conceptualising migrant vulnerability, part of the picture to be considered should be how current legislation is monitored and enforced in New Zealand.

3.13.2 Monitoring and Enforcement

While legislation and regulations are relatively easy to make (within the confines of the political environment), inspections are necessary to enforce regulatory compliance, measure the effectiveness (or otherwise) of policy, and to reduce the monitoring load. Furthermore, policymaking may have unintended outcomes that are evinced by monitoring and enforcement of the relevant legislation in immigration and employment portfolios.

In the information provided under the Official Information Act (1982) in August 2017¹⁵, MBIE confirmed that there were 19 Immigration Investigators nationwide, 15 based in Auckland to pursue investigations and prosecutions against those who breach the Immigration Act. They reported that the complexity of migrant exploitation cases and prosecutions had continued to increase. However, they stated that Immigration New Zealand was “well equipped to deal with any increase in international student numbers”, in part due to increased technological capacity. When asked about risks for the sector, migrant vulnerability was the primary focus, which was a priority for enforcement. Further questioning about student legitimacy and inconsistencies in the process were not addressed in any detail (see Appendix Q, questions 9-13).

The Labour Inspectorate within MBIE was asked the same questions under an Official Information Act application. In 2017 there were 61 Labour Inspectors nationally, with 21 based in Auckland- full capacity. In 2019 this had increased to 71 inspectors (New Zealand Work Research Institute & Centre for Labour, Employment and Work, 2018), still well below OECD recommendations, and perhaps disproportionate to the level of potential risk for workers and reputation (OECD, 2014). The Inspectorate no longer publishes statistics about the number of visits completed per week, but an under-resourced Inspectorate limits enforcement capability, data collection, and deterrence. The

¹⁵ See Appendix P for further details.

Employment Standards Legislation Bill, which came into force on 1 April 2016, strengthened the enforcement of employment standards, including much tougher sanctions for serious breaches of minimum entitlement provisions, such as Banning Orders and Pecuniary Penalties. While this gives Inspectors a greater array of tools to use against non-compliance, it also increase expectations about activities undertaken from government and the general public.

The Inspectorate recognised international students can be in a more vulnerable position than other employees but does not collect or hold data on the level of vulnerability/exploitation of international students at work (see Appendix Q). Nonetheless, over half of Labour Inspectorate investigations were concentrated on migrants with minimum standards breaches primarily under the Wages Protection Act 1983 and Holidays Act 2003. In addition, the Inspectorate was seeing *premiums* being charged more frequently to migrants for work. Although increased penalties for migrant exploitation were legislated in May 2015, there was no reported increase in the number of international students reporting illegal or poor treatment by MBIE, and nor were they targeted in information campaigns.

This underenforcement is consistent with Bartkiw's (2009) contention that the triangular nature of the employment relationship creates a structural tendency towards under-enforcement of existing standards, due to the potential for conflict or complication in the division of employment law responsibilities. Ruhs and Anderson (2006) argue the effects of semi-compliance depend upon the extent to which employers (and migrants) are aware of the conditions attached to migrants' immigration status, employing the concept of semi-compliance as "...migrants with valid leave to remain, but who are working in breach of some of the conditions attached to their immigration status" (p.2). It is supposed that the invisible nature of a significant volume of migrant work may make regulatory oversight difficult to enforce.

Boswell and Straubhaar (2004) contend that illegal employment is a highly problematic issue for governments. On the one hand, it is clearly economically beneficial for employers of illegal labour and for the economy in terms of lowering labour costs significantly. Moreover, "efforts to combat illegal employment through border controls, internal checks, and employer sanctions are expensive and difficult to enforce, and can conflict with civil liberties or even generate discrimination against legal foreign workers." (p. 6). While all New Zealand workers are protected by the state through public policy, monitoring, and enforcement, there are varying levels of execution efficacy, and although

recent legislative amendments acknowledge some new features of vulnerability, on their own, they are insufficient to ensure compliance from employers and employees. As a result of public sector restructuring and budgetary constraints, there is also a lack of enforcement mechanisms to iterate legislative oversight. Moreover, many insecure and precarious workers will often not advance an entitlement claim due to employment dependency. It is, therefore, appropriate to discuss the role of trade unions in mitigating employment concerns.

3.13.3 Trade Union Responses

Trade union responses have traditionally been the primary collective mechanism through which to enact workplace change by negotiating with employers and governments to defend and improve the conditions in which workers sell their labour to capital (Krings, 2009). However, public policy shifts since the 1980s in many western countries have led to a decline in union membership and limited the reach of collective coverage, where “precarious employment outcomes and restricted access to unionization become self-reinforcing.” (Choudry & Henaway, 2012, p. 57). Therefore, while trade unions look to increase their membership and influence, they are faced with choices in terms of whom they recruit and whether to organise migrants as migrant workers or simply workers (Alberti, Holgate, & Tapia, 2013).

Kranendonk and de Beer (2016) contend that unions often see migrant workers as a threat since many migrants are prepared to work under less favourable employment conditions than the indigenous labour force. Consequently, immigrants may exert a downward pressure on employment conditions. Although labour unions have traditionally opposed new waves of immigrants (Goldin, 1994; Haus, 2002; Watts, 2002), unions around the world have increasingly recognised that, in order to protect their members’ interests and to challenge levels of exploitation, there is a need to draw migrant workers into union membership (Holgate, Pollert, Keles, & Kumarappan, 2012). While the focus has been through challenging downgraded terms and conditions of work, in many cases those who are experiencing poor job quality, exploitation, and negative OHS outcomes are migrants, and, by extension, international students.

Nonetheless, Penninx and Roosblad (2000) suggest that trade unions have three main dilemmas when dealing with immigrant workers. Firstly, unions have a choice whether to resist migration, or to engage by trying to influence immigration and employment policies. Secondly, when migrant workers arrive in the host country, trade unions face the dilemma of whether to ignore or recruit and organise them. Finally, if immigrants are

recruited, tensions may arise as to how far additional resources should be used to integrate these workers into union structures. Those already union members (the ‘insiders’) may be concerned about strategies of prioritising the recruitment of new (often temporary/casual) members over the need to improve existing members’ terms and conditions (Burgess, Connell, & Winterton, 2013; Pocock, Prosser, & Bridge, 2005), which “relegate[s] current members to sub-standard representation and disenchantment” (Hurd, 2004, p. 11).

Trade unions are using a range of strategies in organising precarious workers and those employed in ‘atypical’ employment through capacity-building of trade unions at the workplace level; despite the easiest workplaces to organise being large sites with regular hours and pay and low turnover. Lucio and Perrett’s 2009 article argues there is a range of approaches and models developed for representing ethnic minorities and migrants when it comes to trade union strategies but no single model. For example, since the early 2000s, trade unions in the United Kingdom have attempted to tackle the conditions of these specific groups of workers by developing new strategies for their inclusion (Alberti et al., 2013).

Kranendonk and de Beer (2016) analysed 23 European countries and found trade union membership rates tend to be lower among migrants than among native workers even when accounting for cultural and legislative regime differences. In part this may be explained by contextual factors, where workers with a full-time job and a permanent contract tend to have a higher unionisation rate than part-time or temporary workers. Older workers are in general more often union members than younger workers, while union density is generally higher in manufacturing, construction, transport, and in the public sector than in retail, financial and business services, and hotels and catering where migrants typically congregate (Gorodzeisky & Richards 2013). Income may also affect union membership, and in general, workers who are more fully integrated in the labour market are more likely to join a union than marginal/temporary workers (Cachon & Valles 2003). If migrants concentrate in sectors of the labour market with low union density, there will be a lower overall migrant unionisation rate (see Gumbrell-McCormick & Hyman, 2013). Nonetheless, the experience of the labour movement in the United States suggests that migrant workers are not more reluctant to join unions, nor more difficult to organise than native workers if there is union motivation (Guerin-Gonzalez & Strikwerda, 1993).

For New Zealand unions, the growth in temporary work combined with migrant workers to fill labour shortages has seen increasing concerns about the characteristics of migrant

work, and union tension between trying to protect existing members or represent those in the temporary labour force in hard-to-reach businesses. With falling or static union membership consistent with the decline across OECD countries for many decades, New Zealand union reach is weak as the small scale of business presents challenges for union organising in urban situations, while rural work has not traditionally been collective in nature (Tipples & Whatman, 2010). In 2018, MBIE and the Registrar of Unions reported total union membership as of 1 March 2017 of 17.2 percent of employees in the labour force. Three-fifths of employees in the public sector belong to a union, but only one in 10 in the private sector is a union member (Ryall & Blumfeld, 2016). Such workers

are the antithesis of the new so-called "precariat", whose hours of work vary from week to week, who may work from smaller scattered workplaces (or even from home or their car) and whose changes in jobs are often measured in months, rather than years (Edwards, 2016).

Unite Union aimed to reach such workers and was originally launched in October 1998 as a very small union of about 100 members. One of the first industries focused on was language schools - at which migrants were both students and teachers. When a small group of unionists and left-wing activists began a campaign to organise the unorganised in mid-2003, the vehicle for the organising drive was Unite, becoming a general membership union that workers could join who didn't fit the membership rules of the existing unions, with union dues low or even free. The focus for membership coverage has been service sector employment.

The concentration on the young, casualised, precarious workforce has included a significant number of the big chains in fast food, cinemas, and hotels. Union organising has introduced collective agreements into previously non-unionised workplaces, some sectors where international students congregated as workers (Treen, 2014). In 2004, a campaign covering the three main cinema chains was launched, where hundreds of members were recruited and over 80 percent of the staff joined the union, organising repeated at SkyCity casino, where there were many workers on temporary visas (Treen, 2014). Their 2005 "Supersize my Pay" campaign mobilised young workers to successfully end youth rates, while their 2015 their "End Zero Hours" campaign not only achieved guaranteed hours for workers at the main fast food chains but also forced the National Government of the time to change the law to improve the security of employment for all workers (Edwards, 2016).

In 2012, a new body was launched to specifically fight migrant worker exploitation. The First Union's Network of Migrants (UNEMIG) is for union members who consider themselves migrant workers or those who are considered non-New Zealand citizens (holders of temporary visas if their visa conditions include that they are allowed to undertake employment). Their identity as a migrant union has meant a primary focus on the protection of migrant workers, and campaigns to end exploitation. While within the First Union structure, along with the Indian Workers Association, they are currently the only migrant workers' union in New Zealand (First Union, 2018). Both Unite and UNEMIG have successfully recruited the hard-to-reach migrant workers by "recognising that precarious work can no longer be seen as being at the margins of labour." (Choudry & Henaway, 2012, p. 37), and with a focus on membership ethnicity and new organisational devices, such as social media, communication campaigns, and leadership development.

Ellem and Franks (2008) contend however, that the rise of a massive and fragmented private services sector would, in concert with state and employer hostility and legislative changes have undermined New Zealand unions' strength. Changes in the structure of work damaged unions, where employment growth has been in areas of union weakness like services and information technologies. The growth in 'precarious' work, such as part-time and casual, 'on call' jobs, also contributed to this decline in union density. These barriers indicate an underlying tension between government policy and enforcement and current international student protection. In short, the combined factors of the lack of union influence and a fractured tripartite relationship weaken the objectives of the Decent Work Agenda in New Zealand and the ability of international students to access Decent Work.

3.14 Can International Student Workers Access Decent Work?

While domestic governments have the ultimate responsibility to ensure that the rights of its citizens are protected (ILO, 2019, 2019a, 2002), multilateral institutions have long recognised the unique conditions migrants labour under and numerous conventions reflecting the assumed vulnerability of their employment status. Multiple international legal regimes governing migrant workers – trade law, refugee law, human rights law, labour law, and criminal law - touch upon migrant workers. There are, however, some international instruments that are specifically designed to protect their rights. These emanate from the multilateral institutions of the ILO and the United Nations and they are designed to ensure that migrant workers are treated the same as workers who have the right to reside permanently in the territory.

The United Nations Human Rights Committee (2004) has emphasised general principles is to guarantee rights at work and social protection for all workers, regardless of place of residence, where “the enjoyment of Covenant rights is not limited to citizens of state parties but must also be available to all individuals, regardless of nationality or statelessness... who may find themselves in the territory or subject to the jurisdiction of the State Party” (United Nations, 2004). This means that employment legislation of nation states should be compliant with the global protective mechanisms. The ILO is the tripartite United Nations responsible for creating and overseeing international labour standards by:

- promoting employment rights
- setting international labour standards
- encouraging employment opportunities
- enhancing social protection (Di Ruggiero, Cohen, Cole, & Forman, 2015; Labor Rights, 2012).

Its Declaration on Fundamental Rights and Principles at Work 1998 establishes that all member states are obligated to respect and promote basic rights and principles at work even when they have not ratified certain ILO Conventions (International Labour Office, 2009; ILO, 2010). The lack of ratification is pertinent as few countries have ratified the key migrant workers conventions. As of January 2019, 50 countries had ratified Convention 97, while 24 had ratified Convention 143. Only thirty-nine countries have ratified the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (ILO, 2019a; 2006; United Nations, 2018). While New Zealand has ratified Convention 97, it still maintains reservations on Convention 143 and is not considering ratifying ICRMW at this time (Human Rights Commission, 2018; ILO, 2019).

As the ILO became aware that many influential states were unlikely to comply with a rights-based regime, the ILO shifted its focus from rights to standards (Hayward, 2013 Wilson, 2012). The Decent Work Agenda (ratified in 1999 by member states) centres around four strategic objectives:

- Promoting employment by creating a sustainable institutional and economic environment in which individuals can develop and update the necessary capacities and skills; by ensuring healthy and safe working conditions; by ensuring a decent income;

- Developing and enhancing measures of social protection, social security and labour protection (including income security and access to health care);
- Promoting social dialogue and a tripartite approach to translate economic development into social progress and social progress into economic development, and making labour law and institutions effective;
- Respecting, promoting and realising fundamental rights at work (Ernst, Hagemeyer, Marcadent, & Oelz, 2012).

In New Zealand, the Government, the New Zealand Council of Trade Unions and Business NZ are involved in a tripartite partnership of government, employers and workers (MBIE, 2019; Simpson, 1994) to cooperatively develop policies and programmes promoting *Decent Work* for all (ILO, 2018, 2018a). The tripartite delegation attends the annual International Labour Conference and reports on its application of ILO Conventions. This enables key stakeholder groups to engage in social dialogue at a global level (ICFTU, 2005; ILO, 2019a; Thomann, 2008). Nonetheless, worker, employer, and government representatives will have quite different views of the same issue, and may struggle to reach consensus (ILO, 2018a, 2002).

Although a multilateral institution, in practise, regulation and compliance activities are conducted at a national level; hindering the application of global standards not just in New Zealand, but among all member states. Hayward (2013) asserts that New Zealand's labour regulation framework lacks the detail that compliance requires, and that although there is an expectation that member states will take all reasonable steps to ensure their domestic legislation complies with the ILO framework, regulators can readily ignore the ILO recommendations and legislate in a way that contravenes its principles with few consequences (Thomann, 2008; Tipples & Anderson, 2016)¹⁶.

3.15 Conclusion

The purpose of this study was to understand the working experiences of international students in New Zealand. Chapter Two provided a background of theoretical models that could be used for understanding international student motivation to study and work

¹⁶ It should also be noted that there is no explicit acknowledgement in ILO declarations of international students at all, and they are specifically excluded from the ILO's definition of migrant workers (see Elder, 2009 for further discussion; Nyland et al., 2004). Despite of the fact that international student workers are migrant workers, they are not represented as a distinct group in their own right in the documents related to setting a migration agenda (2014), including labour migration and fair recruitment (ILO, 2017), as well as labour exploitation and forced labour.

overseas, vulnerability/precariousness, OSH and as well as introducing job quality measurements. This chapter has elucidated the literature related to export education and educational migration, labour migration, migrant work, and the labour market transition related to international students. Highlighted is that non-standard forms of work, common practices such as long hours, incorrect or illegal pay rates (among other factors) are concerns that appear to currently have limited redress through domestic or international enforcement mechanisms (Deirdre & Lee, 2011). There is also an inherent tension within this literature that cannot easily be resolved. On one hand, international students are given a potential two-step migration opportunity through education, with a visa that gives direct labour market access (albeit often to low-skilled and tedious work). On the other, the transition from study to work is often difficult, and it is clear labour market barriers exist. Further, the policy goal to attract and keep skilled migrants in New Zealand appears not to be borne out through available statistics.

The following chapter presents the methodology chosen and its justifications to answer the research questions posed in this exploratory study.

Chapter Four: Research Design

4.1 Introduction

The previous chapters highlighted the theoretical foundations and the research germane to this topic. Chapter Two presented theoretical models to potentially explain key themes identified through the literature and research findings. Chapter Three reviews the literature on educational migration. The tertiary education sector and the international student market are analysed, as well as the nature and characteristics of migrant work in relation to the health and safety of international student workers. New Zealand's legislative framework is investigated, along with government and union responses. This chapter outlines the research design and methodology for this exploratory study. The following section discusses researching international students as a specific migrant subset, then gives an overview of the theoretical paradigm, research design, participant recruitment and selection, and data collection and analysis. These are discussed in relation to the research questions identified from the literature reviewed in Chapters Two and Three that guided the methodological direction of this thesis:

- RQ1. What are the prevailing political, social, and economic factors that influence how international student workers are employed in New Zealand?
- RQ2. Are current regulation, monitoring, and enforcement mechanisms adequate to protect international students working in New Zealand?
- RQ 3. What are the working experiences of international student workers in New Zealand and do such experiences make these workers vulnerable?
- RQ 4. Do the working characteristics of international students differ from those of migrant workers?
- RQ 5. What are the typical employment arrangements (such as employment status, legal protection, the level of wages and conditions, enforcement of the regulations for international student workers?
- RQ 6. Can international students working in New Zealand access Decent Work?

These questions are addressed through a multidisciplinary perspective, using a variety of methods to ensure in-depth data. The purpose of this chapter is to outline the research's philosophical underpinnings and methodology appropriate to answer the research

questions. Firstly, a critical examination of researching migrants and international students is explored. Next, the chosen research approach and the research paradigm are presented. The rationale supporting a survey method with three research stages is proposed, with a detailed description of each. In addition, the method of evaluating and interpreting the data as well as ethical considerations will be explicated.

4.2 Researching International Students

A substantial body of literature acknowledges the complications and frustrations inherent in researching migrant workers, particularly if they are precariously employed and engaging in illegal work (see Anderson, 2010; Anderson & Ruhs, 2010, Birman, 2008; Carens, 1996). As discussed previously, migrant workers are generally more vulnerable than host country nationals, and the international students exhibit added pressures in addition to study, such as financial concerns and difficulties accessing the labour market. Fear of gaining the attention of government agencies renders these workers difficult to access and largely invisible in official measurements and policy. Therefore, research at this level is limited.

However, while literature in the social geography and migration sphere has had more focus on such concerns (Bakewell, 2010; Chibba, 2014; Carling & Collins, 2018; Kritz, 2006), this has not necessarily translated into a consistent or cohesive research approach. Findlay and Li (1999) suggest that there has been a tendency for migration researchers to rest on a limited set of methodological approaches, ‘reading off’ the methodology appropriate for the chosen epistemology as the way ‘to do’ research. Indeed, Massey (1990, p. 3) posits migration research as being:

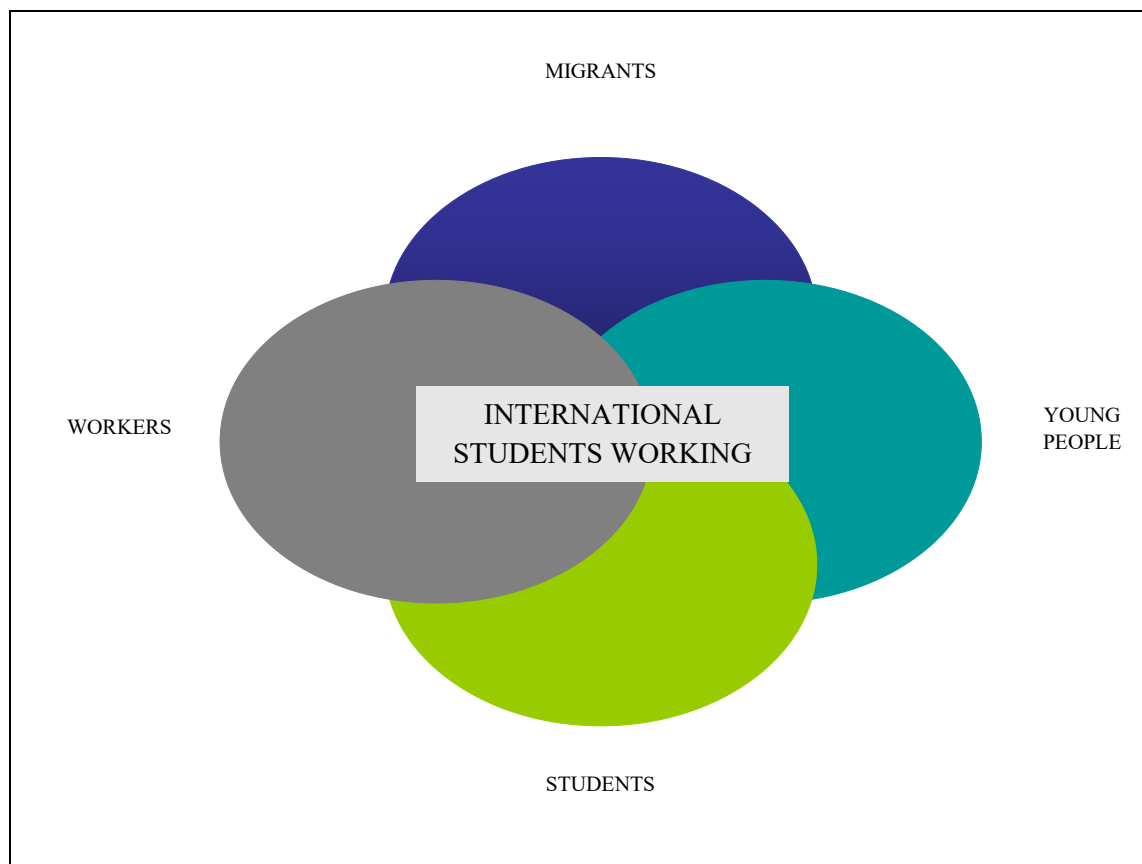
“...fragmented into a diverse set of semi-autonomous research literatures with little intercommunication among them. This fragmentation reflects fundamental disagreements among analysts about how migration should be studied, modelled, and conceptualised.”

The interplay of the multiple characteristics of international students also presents methodological challenges for researchers (see Barwick, 2006; Benach & Muntaner, 2007; Chen & Madamba, 2000; Lamm, 2014). The overlap of non-standard work patterns, education, youth, and migration presents multiple factors for analysis (Figure 4.1). Moreover, as discussed in Chapter Three, the migrant/immigrant categorisation lacks uniformity, which is also problematic for evaluating research material (Arbes, 2012; De Genova, 2002; Glick Schiller, Basch, & Blanc-Szanton, 1992). These factors

combined complicate the research in terms of identifying and separating variables when investigating international students as a group. Therefore, careful consideration was given to best ways to identify populations, choose appropriate instruments to capture desired data, and to interpret findings.

Notwithstanding New Zealand's lack of comprehensive labour and migration data, migrant populations are notoriously difficult to access compared to host-country populations, which in turn makes it difficult to obtain statically significant response rate from survey data (Agadjanian & Zotova, 2012; Zimmermann et al., 2008; Platt, Luthra, & Frere-Smith, 2015). In contrast, qualitative studies tend to be conducted with relatively small sample sizes and using non-random sampling methods with participant anonymity (King, Lulle, Parutis, & Saar, 2015) or from large-scale datasets (Molini, Pavelesku, & Ranzani, 2016; Denzin & Lincoln, 1998). The following section justifies the chosen methodology to gain the desired depth of data for this study.

Figure 4.1. The Topic Intersections of International Student Workers



4.3 Research Approach

All research is based around explicit or implicit assumptions about society, social phenomena, and the manner of investigation used (Giddens, Held, Hubert, Seymour & Thompson, 1994). The research philosophy (Van de Ven, 2007) or research paradigm, defines for researchers “what they are about” (Guba & Lincoln, 1994, p. 108). As the priority of the chosen approach was to understand international students’ opinions and perceptions to gain rich, meaningful data that explores the meanings workers attach to their lives (Taylor & Bogdan, 1998). To achieve this goal a mixed-method approach of not only face-to-face interviews but also an online survey was used.

Prior to establishing the research method, some of the arguments around choosing a research philosophy were explored (Mkansi & Acheampong, 2012; Freire, 1970). The researcher’s response was to approach the research from a critical constructivist perspective, consistent with a social science investigation (see Table 4.1.). To fulfil the research objectives and address the unfolding research questions, the researcher was attracted to a research paradigm that sought to confront injustices in society (Clark & Marchi, 2017). By recognising that within society some groups have more power than others “shaped by social, political, cultural, economic, ethnic, and gender values” (Lincoln & Denzin, 2000, p. 168), constructivism acknowledges this power imbalance is socially and historically constructed and leads to some groups being more privileged than others. Therefore, the ontological view of this approach uses research “as a form of social or cultural criticism” (Kincheloe & McLaren, 2005, p. 404), where reality is experienced and cannot be separated from values and ideologies held by different groups within society.

Adler (2013) suggests that the modern constructivist approach acknowledges that the social world is made of intersubjective understandings, subjective knowledge, and human meanings are viewed as “constructed frameworks rather than direct reflections of the real” (in Raskin, 2008, p. 16). This method views all representations as contextual (Reed & Alexander, 2009), “not the neutral discovery of an objective truth” (Castelló & Botella, 2006, p. 264). Therefore, the aim of this constructivist inquiry and interpretive research “attempt[s] to understand phenomena through accessing the meanings participants assign to them” (Orlikowski & Baroudi, 1991, p. 5). Critical epistemology acknowledges that findings are mediated by the values of researchers, the researched, and the context within which the research is carried out (Denzin & Lincoln, 2000; Kincheloe, 2005; Kincheloe & McLaren, 2008). Moreover, the beliefs that a researcher holds about reality and

existence (Giddings & Grant, 2006) are central to the research process, recognising the researcher may have a very different set of values to their research subjects, see the world in a different way, and act in the world differently, according to their opinions and assumptions (Dillon & Walsh, 2012; Ramey & Grubb, 2009).

These are important considerations in terms of reflexivity of the researcher, and only by “...making implicit values apparent that we can act consciously to overcome the effect of those values on our research” (Tolich & Davidson, 1999, p. 49). This involves researcher acknowledgement of their own potential biases, how they understand participant experiences, and their research expectations. Neutrality and objectivity are therefore posited as impossible to achieve — recognising that the values that the researcher and participants brings to the research have a major impact on how the research is presented and ‘seen’ (Guba & Lincoln, 2008). Finally, while constructivists find explanatory power through the dynamics of social relationships (Burr, 2015), analysis of *both* those with more power and those with less also underlies employment relations and migration research (Kalleberg, 2009; Lindbeck & Snower, 1989).

Table 4.1. Common Assumptions Held by Critical Theorists and Researchers

- All thought is fundamentally mediated by power relations that are socially and historically constituted.
- Facts can never be isolated from the domain of values or removed from some form of ideological inscription.
- The relationship between concept and object and between signifier and signified is never stable or fixed and is often mediated by the social relations of capitalist production and consumption.
- Language is central to the formation of subjectivity (conscious and unconscious awareness).
- Certain groups in any society are privileged over others.
- The oppression that characterises contemporary societies is most forcefully reproduced when subordinates accept their social status as natural, necessary, or inevitable.
- Oppression has many faces and that focusing on only one at the expense of others often elides the interconnections among them.
- Mainstream research practices are generally, although most often unwittingly, implicated in the reproduction of systems of class, race, and gender oppression.

Source: Adapted from Kincheloe & McLaren (2005, p. 405).

When choosing the most appropriate methodology, several considerations influenced the direction and focus of study, including the information the research aimed to collect, and how this would best be achieved (Guest, Bunce, & Johnson, 2006). The chosen research methods needed to allow for complex interconnections between migration, education, and work while acknowledging the intricacies of collecting data in a hard-to-reach sector of the labour market. For the purposes of this study, a rich and in-depth chronicling of experiences and opinions was needed, favouring a qualitative methodology. The theoretical framework underpinning research and guiding the researcher in the methods chosen presents several methodological challenges that must be resolved or at least reconciled (Giddings & Grant, 2006). As this research is centred in an environment of non-standard work¹⁷; several considerations come to the fore:

- Which theoretical research frameworks will best explain the labour market motivations of international students?
- What are the best ways to access a largely “invisible” labour market segment?
- What sampling will give sufficient depth of information?

Drawing on successful research precedents on researching vulnerable migrant workers (see Boocock et al., 2010; Deumert et al., 2005), and the researcher’s own previous research, qualitative inquiry is consistent with critical constructivism premised on ideas of social justice as practice (Denzin, 2003). In the more traditional style of qualitative research, social justice rests on the practice of exposing social problems, and, at best, giving voice to maligned, stigmatised, and minority social groups.

Moreover, qualitative methodologies are viewed as appropriate when endeavouring to gather in-depth data from hard to-reach populations (Düvell, Triandafyllidou, & Vollmer, 2010; Sandelowski, 2000). Although qualitative methods are an umbrella term for a heterogeneous group of methodologies with different theoretical underpinnings and different ways of understanding knowledge in any qualitative research, the aim is to engage “... in research that probes for deeper understanding rather than examining surface features” (Johnson, 1995, p. 4). Qualitative research is predicated, therefore, on the premise that individuals are best placed to describe situations and feelings in their own words and that this investigation should capture the multiple realities of international students’ working experiences.

¹⁷As discussed in Chapter Three, international students fit within the definition of non-standard work as they have visa limitations in terms of their visa type, hours of work, and job choice. While it is argued that they are engaged in non-standard work this work may or may not be precarious and exploitative.

Bryman (2001) and others argue the pragmatism of a mixed-method approach, one that is disentangled from the entrapments of a paradigm debate and recognises the ties or themes that connect quantitative and qualitative research. Supporting this method, Guba and Lincoln (2005) have elucidated that although the paradigms are not comparable at the philosophical level, within each paradigm, mixed methodologies may make good sense. Further, Golafshani (2003, p. 604) contends that “engaging multiple methods... will lead to more valid, reliable and diverse construction of realities.” The researcher chose a mixed-method approach of administration of a survey and a schedule of two stages of face-to-face interviews.

A pragmatic rationale for mixed methods related to the resources available to conduct this research, in terms of time, funding, and ability to access a sample. Given these limitations, the final reason for using multiple methods is that it supports methodological triangulation to strengthen the research findings. Denzin (2003) defined triangulation as “the combination of methodologies in the study of the same phenomenon” (p. 291). Data triangulation, theoretical triangulation, and methodological triangulation are used in this research to increase the depth and legitimacy of the findings. Given the breadth of information desired for this exploratory research it was appropriate to carry out research in three stages using a variety of survey methods (Mauceri, 2014; Shah & Corley, 2006). Using multiple information sources should reduce the errors associated with each through cross-checking.

4.4 Research Design

The *research design* refers to the overall strategy chosen to integrate the logic of inquiry that drives the study. To ensure the different components of the study progress in a coherent and logical way to address the *research problem*, Brannen (2005) suggests the researcher needs to consider the ordering of their methods. In this case, each research stage was evaluated epistemologically and practically, where the researcher was looking for methods that were congruent with achieving the research aims and an appropriate level and volume of detail. The depth of data needed influenced the research design employed. In addition, identifying gaps in the research and the typology used as precedents in previous research helped recognise the most suitable design. In accordance with a triangulated research approach, data was collected from three different data sources over three stages, as outlined in Table 4.4. Information was collected and collated sequentially, where one research stage informed the development of the next.

4.4.1 Research Stages

1. *Stage One* was an anonymous survey exploring the working experiences of international students in New Zealand who hold a Fee Paying Student Visa and were studying; or those holding a Post Study Work Visa who had completed their qualification within the previous two years.
2. *Stage Two* consisted of semi-structured in-depth interviews exploring the working experiences of international students in New Zealand who held a Fee Paying Student Visa and were studying; or those holding a Post Study Work Visa who had completed their qualification within the previous two years.
3. *Stage Three* was semi-structured in-depth interviews with key stakeholders voicing their organisational or personal opinion based on expertise/experience/interest with international students and/or other related subject areas. This final research stage also involved commenting on the findings from Stage One and Stage Two survey and interview findings.

The survey sought to generate information about the working experiences of international students and signify key areas needing further investigation. In-depth interviews with a further group of international students offered opportunities further investigation with greater depth of information than can be obtained in a survey. Finally, key stakeholders were asked to comment on the research findings and areas of their expertise. The following section presents the research rationale and participant recruitment methods at each research stage.

Table 4.2. Participant Engagement Criteria

Engagement Criteria	Research Rationale
<p>Stage One Survey International students who hold a Fee Paying Student Visa and were studying or migrants holding a Post Study Work Visa who have completed their qualification within the previous two years.</p>	<p>Information needed to be first-hand and current to investigate contemporary international labour market trends.</p>
<p>Stage Two International Student Interviews International students who hold a Fee Paying Student Visa and are currently studying or migrants holding a Post Study Work Visa who had completed their qualification within the previous two years.</p>	<p>More detailed investigation of the key issues identified in Stage One Survey.</p>
<p>Stage Three key Stakeholder Interviews Individuals representing their organisation in a professional capacity or voicing their personal opinion based on expertise/ experience/ interest with international students and/or other related subject areas.</p>	<p>Comment and opinion of the key findings identified in Stage One Survey and Stage Two interviewing.</p>

4.4.2 Participant Recruitment

For this study, a purposive sampling strategy was followed where a specific population was identified according to pre-specified criteria (Pigeon & Henwood, 2004) based on relevance to the research (Silverman, 2010 (see Table 4.2. for Participant Engagement Criteria). Sampling of international students at Stages One and Two was identified as being potentially difficult from the researcher's previous experience and in academic literature, where hard-to-reach and 'hidden' populations have always been a major challenge (Faugier & Sargeant, 1997; Patel, Doku, & Tennakoon, 2003; Shaghghi, Bhopal & Sheikh, 2011). It was therefore necessary to use multiple recruitment avenues to gain the desired research sample, discussed next.

Recruitment of Stage One survey participants occurred in several ways. Contact was first made with all three Auckland universities' international student centres and an advertisement with the online survey link was sent out to their international students. This approach was repeated with a number of polytechnics and PTEs, nationally. The primary point of contact at the point of education rather than the workplace was considered the most appropriate approach for several reasons listed below:

1. The difficulty of identifying workplaces was the primary consideration. While limited domestic research (including the researcher's own) identified industries where international students may congregate, approaching workplaces was methodologically and ethically dubious. Such an approach would not represent a *legitimate sample* and could also indicate researcher bias.
2. Employees may not have felt comfortable completing a survey about their working conditions in their workplace. It is unlikely that this approach would gain support by employers either, given the time needed for survey completion.
3. By sending educational institutes an invitation for students to participate students could consider the information and decide. They were also able to answer the survey at a time and place of their choosing. This promoted international student protection by protecting participant choice and identification.

Further recruitment of survey respondents occurred to obtain an adequate number of responses. Interest groups were asked to promote the survey to their members through various social media platforms, and advertisements were run in Indian and Chinese community newspapers — the two largest ethnic groups represented by international students in New Zealand (see Appendix B for advertisement). As online responses slowed down, a final *push* was made by the researcher where handouts with the online

link were passed out in areas where international students congregated (in Auckland only) (refer to Appendix C). Media coverage of international student concerns also meant that contact was made by some international students and key stakeholders wishing to be involved in the study. At Stage Two interviewing, all international students were based in Auckland, the dominant international student location. Stage Three key stakeholders were located around the country and were either visited or a telephone interview was conducted. The summary of research participants is detailed below.

Table 4.3. Summary of Research Participants

Research Stages	Number of Participants
Stage One Online Survey of International Students	483 respondents <ul style="list-style-type: none"> • 353 current international students • 130 Post Study Work Visa holders
International Student Interviews	11 participants
Key Stakeholder Interviews	15 participants

Following the recruitment stage, research data was collected. The data collection and methodological justification is detailed in the following sections.

4.6 Data Collection

Following approval of the project protocol by the Auckland University of Technology Research Ethics Committee in May 2014 (AUTEK Reference number 14/131), the research stages progressed with the survey conducted first, then interview stages sequentially (refer to Appendix A). The research was conducted between 2014 and 2017. Online surveying and international student interviews were conducted from 2014 to 2015 while key stakeholder interviews were undertaken between 2015 and early 2017. Data collection stages are detailed below.

Table 4.4. Data Collection Stages

Method	Stage One: Anonymous surveying	Stage Two: One-on-one semi-structured: experiences	Stage Three: One-on-one semi-structured: key stakeholders
Participants	International students in New Zealand who held a Fee Paying Student Visa and are were studying or those holding a Post Study Work Visa who had completed their qualifications within the previous two years.	International students in New Zealand who held a Fee Paying Student Visa and were studying or those holding a Post Study Work Visa who had completed their qualifications within the previous two years.	Key stakeholders voicing their organisational or personal opinion based on expertise/ experience/ interest with international students and/or other related subject areas.
Number of Participants	Participants answered the survey online. n = 483	No pre-determined number: respondent numbers were participant-determined. n = 11	No pre-determined number as aimed to gather a multiplicity of views to analyse the primary issues. n = 15
Sample Recruitment	<ul style="list-style-type: none"> • Advertising in community and ethnic newspapers. • “Handouts” with the online link passed out in areas where international students congregated. • Online link sent to universities and polytechnics to be distributed to international students. • Social media in online groups of relevance. • Snowball sampling by word of mouth from previous participants. • Participants were offered the opportunity to participate in a prize draw to increase participation. 	<ul style="list-style-type: none"> • “Handouts” with the researcher’s email contact details were passed out in areas where international students congregated. • Attendees at international student events were given researcher’s email contact details. • Social media in online groups of relevance. • Snowball sampling by word of mouth from previous participants. • Participants were offered a nominal token of a gift voucher to increase participation. • Participants were a ‘fresh sample’ who had not participated in Stage One surveying. 	Key stakeholders were identified by the researcher and other interviewees. They were then approached and asked to participate in an interview.
Thematic analysis	Key survey themes were identified and coded. This aided in thematic analysis and formulating Stages Two and Three interview questions.	Interpreted interview results to identify if there were further key themes. Key findings were included in Stage Three interviews; where stakeholders were asked to comment on issues identified.	Findings were cross-checked with other findings to identify key themes. Themes were identified, defined, and named.

4.4.3 Stage One Survey

For this research, the survey approach was considered appropriate to gather a sizeable number of responses to provide contextual information and signpost significant trends (Gwyther & Possamai-Inesedy, 2009; Mathers, Fox, & Hunn, 2007). Given the difficulties of interviewing international student workers, as previously discussed, it was necessary to include a survey in order to capture anonymised data from a wide cohort (Godard, 2001; Kuzel, 1992; Sue & Ritter, 2012). This approach also sought to provide a larger scale numerical representation within the timeframe of PhD research. An advantage of inviting students to complete a web survey was that the number of responses could be much larger than what could be economically achieved by random interception of students at educational institutions. Desire to gather a large number of responses in a relatively short time period, an internet-based survey was seen as most appropriate to gain a larger number of responses as other methods (Evans & Mathur, 2005; Fricker & Schonlau, 2002; Kaplowitz, Hadlock, & Levine, 2004; Newman & McNeil, 1998). The purpose of the survey was to gather data on international students working as well those who had transferred to a Post Study Work Visa. The survey participation criterion was:

- international students who held a Fee Paying Student Visa and were studying or migrants holding a Post Study Work Visa who had completed their qualification within the previous two years.

The survey was developed from identification of research gaps in the literature and from precedent of other researchers following a qualitative research approach. Questions were developed under themes beginning with demographic information. The key areas considered important for investigation were:

- studying in New Zealand
- financial circumstances
- working in New Zealand
- remuneration and working conditions
- health and safety in the workplace
- future progression.

It is acknowledged that, “While survey research is sometimes regarded as an easy research approach, as with any other research approach and method, it is easy to conduct a survey of poor quality rather than one of high quality and real value” (Kelley, Clark, Brown, & Sitzia, 2003, p. 265). Being mindful of this, prior to launching the survey

online, two survey testing phases sought to refine the questioning to ensure information relevance and appropriate depth of response. The first survey was given to twelve international students in hard copy, and the second was trialled online by five students. Based on their feedback, changes were made. The changes mainly related to simplifying language and amending answer options. Following the development of a pilot survey and subsequent revisions, the online survey was delivered through SurveyMonkey (Appendix E).

The survey took around 30-40 minutes to complete. Questions were designed to gain information on particular topics, anticipating that most international students may not speak English as a first language. Questions were presented in a variety of formats, including check box and drop-down. While some questions were either/or answer, many were open-ended. Respondents could choose to submit in their own time and give as much (or little) detail as they felt necessary. Key questions had a compulsory format where progression to the following question required that an answer was recorded. This was to ensure that complete and comparable information was collected.

Demographic data, including age and nationality, was collected to signpost trends as well as aid analysis of the role of migration status and other intersecting identities in the experiences of respondents (Adib & Guerrier, 2003; Kirton & Healy, 2004). Accordingly, experiences and/or opinions are on a continuum, and motivations for answering this survey will therefore be on a range - from those who have had a successful experience through to those who wished to complain about particular issues.

Sampling of this kind is self-selected and respondent-driven as participants chose whether they wished to participate response rates were not applicable in this case as surveys were not sent out to a predetermined sample size. Using multiple avenues to gain adequate responses was necessary because of concerns and fears this population may have due to their “precarious legal and work status, incessant harassment by law enforcement authorities, and pervasive public xenophobia” (Agadjanian & Zotova, 2012 p. 135). Therefore, the survey sampling choice was pragmatic and sought to gain the largest sample, given the limited timeframe and access to respondents. While not statistically representative, a relatively large sample (n = 483) was able to be gathered. However, this research is not a census (Fricker & Schonlau, 2002) and nor does it aim to be. It is one representation of participants’ experiences of working while studying and their transition in New Zealand, a research area that has been overlooked.

While the limitations of the sampling strategy are acknowledged, for the purposes of this investigation the method provided a sound basis for exploration. International students' experiences are diverse in nature — for instance, by gender, nationality, and education level — and the selected sample captures those who made themselves available for this research. Nevertheless, although this research phase is important in identifying and exploring some key areas of concern, the survey responses are not viewed as definitive information in themselves but as contributing to the range of voices and information available¹⁸. Subsequently, key findings at this stage informed the direction of questioning at Stages Two and Three of data collection, presented below.

4.4.4 Stage Two: Reflection by International Students on their Work Experiences

Following survey completion and initial analysis, key themes emerged requiring further investigation that influenced the Stage Two interview format. An appropriate choice of methods needed to gather a rich variety of data that was in-depth and contextual. Consequently, the initial questions were modified to include emerging themes signposted through the freehand comments section of the survey. The criteria for those interviewed was the same as the survey:

- international students who held a Fee Paying Student Visa and were studying or migrants holding a Post Study Work Visa who had completed their qualification within the previous two years.

Interviews with international students were from 30 to 60 minutes long (see Appendix I for interview questions). This phase took longer than anticipated owing to the need to gain participant trust prior to interviewing, given the sensitive nature of questioning and face-to-face element of the interviews. A number of those who had agreed to participate withdrew prior to the interview, citing a fear of being identified or potential impact on their future, while several potential respondents seemed to believe the researcher was linked to other government enforcement agencies (such as Immigration New Zealand) despite assurances this was not the case. All interviews were conducted at a place and time of the respondent's choosing, and respondents were reassured that their anonymity would be maintained in all publications (see Appendices G & H).

¹⁸ The text of the survey is included as Appendix E to this thesis and Chapter Five summarises survey answers.

Figure 4.2. Stage Two International Student Interview Pseudonyms

Name	Participant Characteristics
Aarav	Indian male aged 28 (business graduate diploma)
Sai	Indian female aged 24 (business degree)
Krishna	Indian male aged 22 (finance graduate diploma)
Prisha	Indian female aged 26 (travel and tourism graduate diploma)
Sunita	Indian female aged 37 (business graduate diploma)
Chao	Chinese male aged 21 (accounting degree)
Feng	Chinese male aged 22 (economics graduate diploma)
Alvin	Chinese male aged 25 (business degree)
Camille	Thai female aged 25 (politics Masters degree)
Danh	Vietnamese male aged 20 (marketing degree)
Kiet	Thai female aged 19 (English literature graduate diploma)
Naran	Thai male aged 20 (travel and tourism graduate diploma)

This interview stage relied upon the voice of participants and highlights their experiences. In addition to the investigating employment arrangements, the researcher felt it was important to explore the meaning international students attached to their working experiences. This respondent-led approach gives depth to the information as well as widening the research lens from a measurement orientation (for example, good/bad, like/dislike) into framing their experiences emotionally. The use of in-depth interviews allowed for an opportunity to probe answers so that interviewees can explain or build on their responses. Accordingly, to have flexibility the interviews were semi-structured in format. This interaction allowed discussion and narratives of individuals, allowing space for the interview to be more conversational and situational rather than formal and pre-determined. The complexity of responses added to key themes already identified but needing more investigation than was practical in a survey format.

Those interviewed were asked for further details, organised around the same key headings as the Stage One Survey. These were:

- studying in New Zealand
- financial circumstances
- working in New Zealand
- remuneration and working conditions

- health and safety in the workplace
- future progression.

Of note, feelings of inclusion and exclusion professionally and socially, racism, as well as the decision-making process around whether to stay in New Zealand, were important subject additions. Topics raised during the interview by the international students themselves were also explored¹⁹.

At least initially, perceived power relationships may have prevented a full, open response. Some international students were visibly nervous, displayed mixed levels of language competence, and were concerned about being reported to authorities, despite assurances. Their interviews reflected these concerns, where limited detail was given, or the respondent declined to answer questions. Worth noting was the lack of confidence many international students exhibited when detailing their experiences and apologised for their English or any criticisms they made. Participants became more relaxed and gave more information when it was emphasised that the role of the interviews was to provide information on the experiences of the participants (central to the research), and that there were no *right* or *wrong* answers.

Nevertheless, the researcher's identity had a significant unforeseen influence on this phase of the research process. The perception of the researcher as an *expert* reinforced a potential perception of power imbalance, further exacerbated by interviews being conducted in English. As a result, some of those interviewed looked to the researcher to solve their problems or to provide solutions. This was especially apparent among the students who had contacted the researcher due to her previous media coverage. At times this conflict became uncomfortable for both parties as the role of the researcher was to report experiences of the participants rather than become involved in advocating for them. This researcher *distance* became a source of anxiety and frustration at times, although within the limitations of the researcher's role she could give contact recommendations and answer employment questions. All interviews were recorded and subsequently transcribed. Stages One and Two key findings influenced the direction of the Stage Three Stakeholder Interviews.

¹⁹The Interview Question Guide is included as Appendix M in this thesis and Chapter Six summarises the interview responses.

4.4.5 Stage Three Stakeholder Interviews

The aim of this third and final research phase was to have key stakeholders with expertise or opinion comment on the key findings from Stages One and Two as well as offer a sector-level opinion on international students working and related subjects. Stakeholder respondents represented organisations such as government agencies, trade unions, and NGOs, either speaking on behalf of their organisations or voicing their personal opinion as private citizens. While questions at both interviewing stages had crossover of some key themes, questions were focused primarily on opinion or subject matter expertise, identified by the researcher. Nevertheless, while it is useful to elicit the views of those who have specific expertise, one pitfall of this kind of sampling is that only those with strong opinions may be motivated to participate (Labott, Johnson, Fendrich, & Feeny, 2013). “Experts” may also be a misleading term as they may be from interest groups and/or government officials with incomplete or subjective/biased information on the subject. To mitigate this risk, a wide variety of stakeholders were approached (see Appendix J for invitation to participate, K & L for participant information and consent forms).

Interviews with the stakeholders lasted around 60 minutes. The questioning format was non-directive and relatively informal as those interviewed were comfortable with the research process – and some stakeholders exhibited a high level of confidence and strong opinions on the subject matter (refer to Appendix M). All participants seemed satisfied to answer all questions posed. Following this final research stage of data triangulation, the data was analysed, discussed below.

4.5 Data Analysis

The previous sections have described how the data was collected and presented information about the research subjects. This section outlines how that data was analysed, consistent with triangulation of multiple findings converging on the same findings. Following the collection of a substantial amount of primary data across the three research stages, it was essential to analyse the data in a manner that recognised the myriad contexts that research of this kind operates within, with multiple ambiguities and the need for flexibility and variety of interpretation. Qualitative analysis gives “Priority to showing patterns and connections rather than linear reasoning” (Charmaz, 2006, p. 126). It seeks to explain and contextualise information by investigating patterns of interaction and exploring the lives of individuals (Bartunek & Louis, 1996; Castles, 2007; Marshall &

Rossmann, 2006). Therefore, as reporting of results from the research inevitably involves interpretation, all data was processed by the researcher. Patton (1990) notes there is no set formula for data coding. Given the volume and depth of data, the researcher struggled to reduce a large amount of information into manageable portions. For data analysis, the data was divided into three stages, namely international student surveys, international student interviews, and stakeholder interviews.

Stage One survey data captured the demographic details of the respondents, then summaries of the key themes. As the survey was completed by participants online using SurveyMonkey, the data set could be downloaded from the Survey Monkey portal and analysed using SurveyMonkey Gold research tools as the first analysis stage. The time savings of having returned survey data already in an electronic format was significant, allowing signposting of key demographic trends and response rates to each question. With free-form comments, emerging themes were identified and then manually coded to guide the subsequent interview phases (Cobanoglu, Moreo, & Warde, 2001).

Stage Two and *Three* interviews were transcribed²⁰, and the findings coded into broad themes based on the research objectives and interview questions, using interpretation of results into thematic areas (King, Cassell, & Symon, 2004), which were then classified into sub-categories that led to the formation of more specific categories within each theme. The number of interviews allowed the use of manual analysis rather than software – appropriate given the researcher’s intimate subject knowledge. Quotations from the interviews were used extensively in data analysis, where information is presented in the participant’s own voices (Corden & Sainsbury, 2006). While the *presence* of themes was analysed, the *absence* of a theme was also noted.

All those interviewed at Stages Two and Three were given numerical identifiers to organise information. This enabled comparison and identification of recurring patterns across the data sets that were identified in addition to the survey findings. As thematic summaries were reached, themes were integrated into the frameworks previously identified to aid analysis. Secondly, similar findings and dissimilarities were identified. Thirdly, commonalities and themes were developed from the findings and explained within the multiple frameworks discussed in Chapter Two.

The nature of the research questions was such that analysis had to occur both at the educational and workplace level while accounting for demographic trends. There was a

²⁰ Refer to Appendix P for the Transcriber Confidentiality Agreement.

need to be mindful in correlating and interpreting results as it tends to be much easier to identify emerging themes with measurable rather than contextual answers. It was also necessary to question whether findings were similar across the different data collection methods, and if there is generalisability between participants and the opinions of stakeholders.

4.5.1 Methodological Validity

There has been ongoing debate around the ‘rigorousness’ of qualitative data and the emphasis on validity and reliability of the data in empirical social science research approaches. Although some qualitative researchers argue that the term validity is not applicable to qualitative research, they have realised the need for qualifying checks or measures for their research. While a critical constructivist perspective acknowledges that reality is value laden (Van de Ven, 2007) it does require an examination of the underlying investigative mechanisms.

The three sampling sizes do not attempt to be statistically significant as the aim of the research was to capture experiences of international student workers, not to measure their incidence within the working population. This process entailed ‘building’ the emergent themes into cohesive findings that added to the field of research. This study therefore did not set out to *generalise* or develop *truth* statements but rather to describe and explain the unique context of evidence at each stage as accurately and comprehensively as possible. Of relevance is the idea of generalisability and whether findings of the selected sample can be generalised to a larger population (Smallbone & Quinton, 2004). Guba & Lincoln (1994) had earlier critiqued generalisability by looking at research legitimacy - does the research represent a variety of viewpoints in a particular setting and is there is an understanding of social context? Acknowledging that social context makes replication difficult does not mean that the research findings are less valid, rather that the limitation has been explicitly acknowledged. The research findings may therefore be a “snapshot in time” rather than theory-building.

All three research stages were predicated on participants answering questions truthfully. However, as discussed earlier in the chapter, in the Stage One survey some answers are incomplete or unanswered. Likewise, in some Stage Two international student interviews there was hesitation or outright refusal to answer some questions. Another acknowledged case may be when a holder of information (for example, a government official) may be unwilling or unable to divulge information so may fabricate or prevaricate in their answering. While there was no suspicion that any respondents sought

to be untruthful at any stage, it pays to be mindful of the potential for this. The following section discusses the ethical considerations specific to this research.

4.6 Ethical Considerations

Ethical approval was sought and gained from the AUT University Ethics Committee in 19 May 2014 (refer Appendix A). The ethics approval process involved an application outlining the proposed research project and methods - while considering any potential risk to research participants. In line with the AUTECH Ethics Guidelines, all participants were fully informed of the research process, the research aims underlying the process, and that the information gained from this research would lead to a doctoral thesis and could be used in academic publications. Participants were given the opportunity to contact the researcher should they wish to withdraw from the research project at any time up until publication. No contact was made. The research was conducted from 2014 to 2017.

This research placed great responsibility on the researcher studying these potentially vulnerable migrant populations as the findings of their studies may be used to inform policies that could have a great impact on their lives. At the same time, defining ethical responsibilities for the researcher is “complex when working with vulnerable populations and diverse cultures with distinctive and sometimes conflicting definitions of what is ethical” (Birman, 2005, p. 155). Stages One and Two participants also had intersecting identities as students, migrants, jobseekers, and employees – and while their identities as migrants most strongly impacted on their experience in the workplaces, characteristics of age, gender, language competence, and ethnicity also had impact (Nicholls, 2009; Potts & Brown, 2005; Staples, 2000). Their cultural backgrounds were also a paramount consideration in terms of understanding their acceptance of poor and/or illegal working conditions.

The ethical requirements for this investigation stipulated that the researcher take all reasonable steps to protect the anonymity of both participants and the organisations they belong to when specified (see Figure 4.2). For the research stages differing levels of identification were appropriate:

1. The online survey was anonymous, and the researcher was unaware of respondent identity.
2. Pseudonyms were given to the international students interviewed. The researcher is aware of identities, but this is confidential in all published work.

Accordingly, all international students at Stages One and Two were not named as per AUTECH protocol. This ensured that they were protected to be honest in their responses with no fear of identification. Given the significant number of respondents who reported illegal work behaviour, this also protected them from possible enforcement agency involvement. All those interviewed were given a pseudonym and in some cases interview material has had to be paraphrased rather than directly quoted because it could have revealed detail identifying the individual, their educational institute, or workplace.

Stage Three stakeholder respondents had identities as experts or those with experience and/or interest in international students and associated topics. However, some chose to conceal their actual identity and given a pseudonym as they felt they could give more honest answers to the questions posed while being protected from negative outcomes of the research.

4.7 Conclusion

Chapter Four has explained and justified the methodological approach adopted for this investigation. This approach has been achieved by reflecting on the research complications in researching migrants more generally, or international students. Thus, the act of combining a culturally sensitive epistemology, together with a triangulated research design, allowed depth of data collection. With limited research precedent, a flexible pragmatic approach, using a mixed methods study design, was deemed most suitable to answer the research questions. An online survey was used for the first research stage as it can best quantify the experiences of international students working (RQ1, RQ3, RQ4, and RQ5).

Collecting demographic information and work-related information allows exploration of emerging trends while investigation of legislative, monitoring and enforcement knowledge (RQ2, RQ6) indicates whether there is a link between knowledge and the ability to enforce employment minima. Interviews with international students will examine emerging survey findings in more detail in the second research stage, as well as investigating in depth descriptions of international student working experiences. Finally, the third research stage gathers key stakeholder opinion on the first and second phase research findings and related areas. Chapters Five - Seven explain in greater detail the data collection and analysis procedures utilised in the research stages. The key findings are then presented and discussed.

Chapter Five: Survey Findings

5.1 Introduction

Chapter Four explained why a critical post-positivist approach was adopted and provided a rationale for incorporating three interview phases into the study design. This chapter provides one of the three empirical data collection phases: the survey findings. Accordingly, this chapter is structured into three parts with the first part presenting the research process related to survey data collection. The second and third parts discuss findings from the two survey samples - that of international students working while studying and those who have transferred to a Post Study Work Visa. The methodology for this study, as explained in the previous chapter, has guided the chosen data collection.

As outlined in the Research Design Section in Chapter Four, the research stages specifically aimed to answer the following research questions:

- RQ1. What are the prevailing political, social, and economic factors that influence how international student workers are employed in New Zealand?
- RQ2. Are current regulation, monitoring, and enforcement mechanisms adequate to protect international students working in New Zealand?
- RQ3. What are the working experiences of international student workers in New Zealand and do such experiences make these workers vulnerable?
- RQ4. Do the working characteristics of international students differ from those of migrant workers?
- RQ5. What are the typical employment arrangements (such as employment status, legal protection, the level of wages and conditions, enforcement of the regulations) for international student workers?
- RQ6. Can international students working in New Zealand access Decent Work?

This following section presents the participant demographic characteristics.

5.2 Stage One Survey

Stage One of the three research phases was an online survey (see Appendix E for the survey questions). The total number of respondents was 483. Questions were presented in a variety of formats, including check box, drop-down, and open-ended. Key questions had a compulsory format where progression to the following question required that an answer was recorded. This allowed information and non-responses to be measured. The first survey section collected information about participant characteristics, presented below. All participants answered these questions.

5.2.1 Survey Participants

As stated previously, international students who are working while studying are a vulnerable and unseen group largely unmeasured in New Zealand information-gathering. As a largely ‘invisible’ sector of the workforce these students are unable to be identified through official measurements such as the Household Labour Force Survey or the Quarterly Employment Survey²¹. Consequently, it is difficult to access a ‘hard-to-reach’ (Anderson et al, 2010; Shaghghi et al., 2011) sample then get those who fulfil the sample criteria to actually participate.

Johnson and Owens (2003) attribute this difficulty to: privacy issues, confidentiality issues, exploitation of personal information, and/or general cynicism. As international students can be potentially involved in illegal working conditions, individuals are unlikely to respond to typical recruitment strategies such as face-to-face recruitment at their educational institutes or workplaces.

With sampling restricted by limited means of contacting potential participants, innovative and relevant ways to collect data while maintaining appropriate research standards and rigour are necessary (Dusek, Yurova, & Ruppel, 2015). Therefore, flexible and sensitive recruitment strategies were adopted for the survey, with research precedent research identified by the researcher’s own previous successful investigations as well as other influential researchers in this field (see Ruhs & Anderson, 2007; Hawthorne, 2008; Nyland et al, 2009). These included:

- advertising in ethnic community newspapers, LinkedIn, television interviews, and online groups including Migrant Workers Association of Aotearoa, International

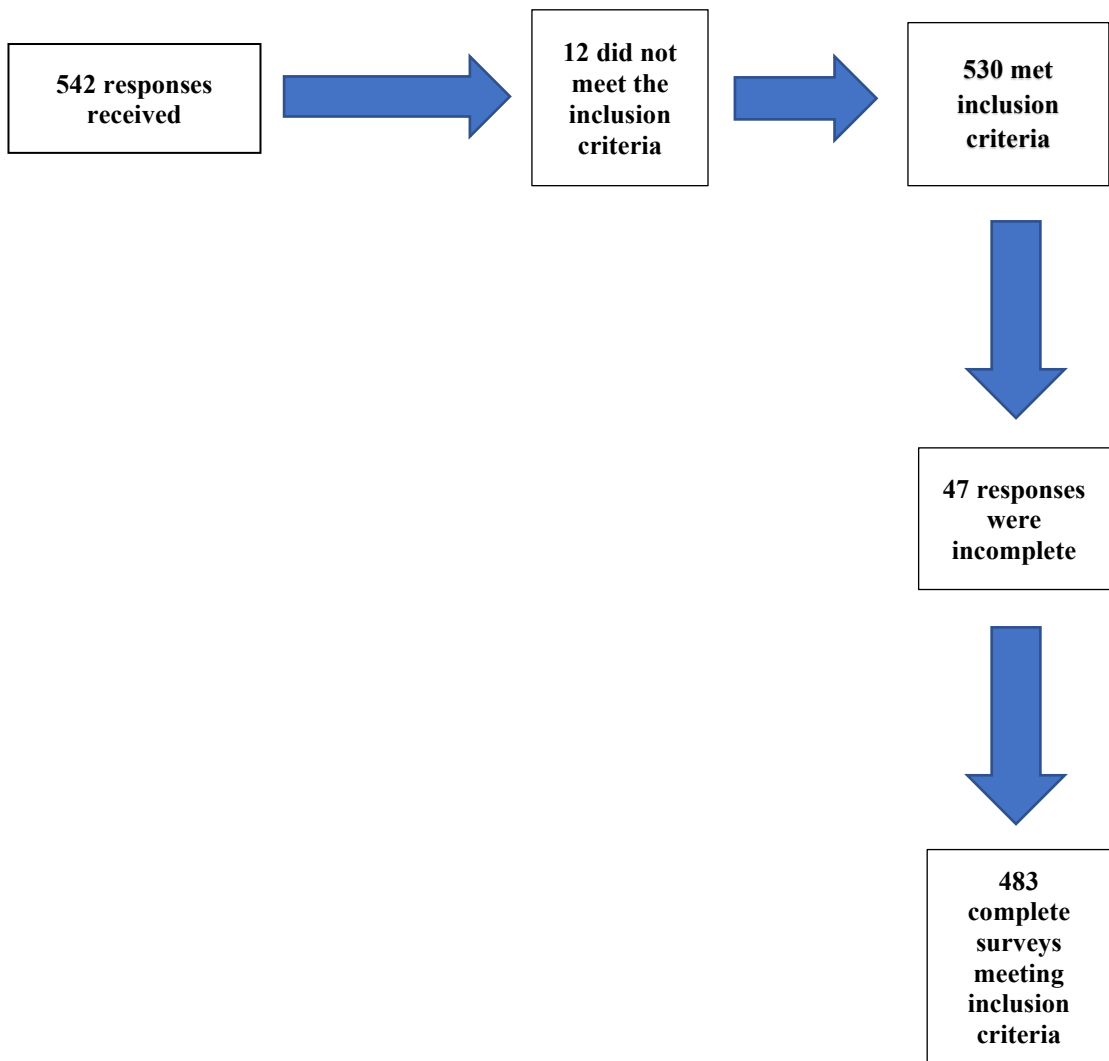
²¹ Both surveys cover the national resident population only: see http://www.stats.govt.nz/browse_for_stats/income-and-work/employment-and-unemployment/household-labour-force-survey-info-releases.aspx

Student Movement, Kiwifruit work in Tauranga/Te Puke, Migrant Action Trust, and Union Members New Zealand.

- creation of a handout advertisement that could be given to international students in areas where they congregated. This included survey inclusion criteria and a link to the survey.
- networking with well-established industry and community support networks.
- utilising snowball sampling as recommended by Baltar and Brunet (2012) for exploratory studies and those involving hard-to-reach populations. Social media was used to assist with initiating the snowball process.

Social media as the primary source for snowball sampling was a suitable and pragmatic approach, through users delivering information to others with shared circumstances to gain access to suitable participants and boost participant responsiveness. In a sample that is primarily young, this recruitment source was ideal to recruit the desired sample (Saxton, Guo, & Brown, 2007; Lovejoy & Saxton, 2012). The ability for participants to ‘pass on’ links to the survey enabled the data to be enlarged through passive as well as active mediums. Figure 5.1. shows an overview of the survey data collection phases.

Figure 5.1. Overview of the Survey Responses



5.2.2 Survey Responses

483 respondents completed the survey in full. While the survey length could be a deterrent for some participants, this was mitigated by clear shortcuts according to eligibility within questioning and an estimated time for completion (35-45 minutes) on the information page prior to the start of the survey. The survey was also tested prior to uploading online with hard copies, and then the online link was completed by 14 people who gave feedback about survey questions and structure. However, some questions were not answered fully, leading to item non-response (Berg, 2005; Welch & Barlau, 2013;). The non-responses have been clearly identified in the findings. Sensitive questions were associated with higher non-response rates than non-sensitive questions (Krumpal, 2013), and questions that highlighted possible visa or workplace breaches tended to have greater numbers of respondents choosing not to answer.

5.3 Section One: Participant Characteristics

The first section summarises the demographic characteristics of all survey participants: international students working while studying and those who had transitioned from a study visa to a post study work visa

5.3.1 Demographics

All participants were asked general identifying information, presented below. The median age for participants was 21, while the average was higher, at 24.15 years, with a range of 18-33 years. Two hundred and fifty-five participants (53%) were male and 228 (47%) female. The nationalities represented were varied, with Indian and Chinese being the largest groups (46% and 36%). Together these two groups represent over 80 percent of the total sample. However, the self-identification and report element of this question has meant that some confusion seemed to be evident between nationality and ethnicity. For example, the third largest sample size was self-defined as 'European', despite this grouping not being defined as a nationality, but perhaps as a cultural affiliation.

Table 5.1. Respondent Ethnicity

Ethnicity	Frequency (n)	Percentage %
Indian	224	46.4
Chinese	173	35.8
European	37	7.7
Sri Lankan	3	0.6
Asian Indian	1	0.2
South African	6	1.2
Nigerian	5	1.0
Vietnamese	12	2.5
Thai	11	2.3
Singaporean Chinese	2	0.4
Hong Kong Chinese	9	1.9
Total	483	100

Sixty-one percent of international students were flatting, while 18 percent were boarding with a family, 11 percent were living alone, and 2 percent were living in a hostel. Eight percent reported that they were living in other situations including with their own family, room-sharing, living with a partner, or living at their work site.

5.4 Section Two: Studying in New Zealand

Section Two presents the findings related to respondents' choice of educational institute as well as qualifications undertaken. These results provide some context for the New Zealand export education sector, described in the literature review in Chapter Three.

5.4.1 Why Study in New Zealand?

Respondents chose New Zealand as a study destination for a variety of reasons. Opportunity for residency was the most commonly cited response, closely followed by the affordability of the tertiary fees (i.e. the New Zealand fees were considered more affordable compared to other countries, such as the US and UK). The reputation of the educational institute, choice of course, and location of the educational institute were also significantly represented answers. Only 11 students responded that their reason for choosing New Zealand was the proximity to respondents' home countries. In addition, 34 students reported New Zealand wasn't their choice (so was presumably their parents' or guardians' choice). The remainder said their research needed to be based in New Zealand or were involved in bilateral study agreements.

Table 5.2. Reasons for Studying in New Zealand

Reason	Frequency
Opportunity for residency	317
Reputation of the educational institute	217
Cost	302
Choice of course	121
Location of the educational institute	112
Proximity to home country	11
Not students' choice	34
Other	5
No response	3

Some commented on the perceived safety of New Zealand:

“Beautiful, peaceful, friendly country.”

“My parents said it would be safer here than Australia. There had been some Indians attacked and my parents were worried would be on my own, a female. NZ was chosen for my safety.”

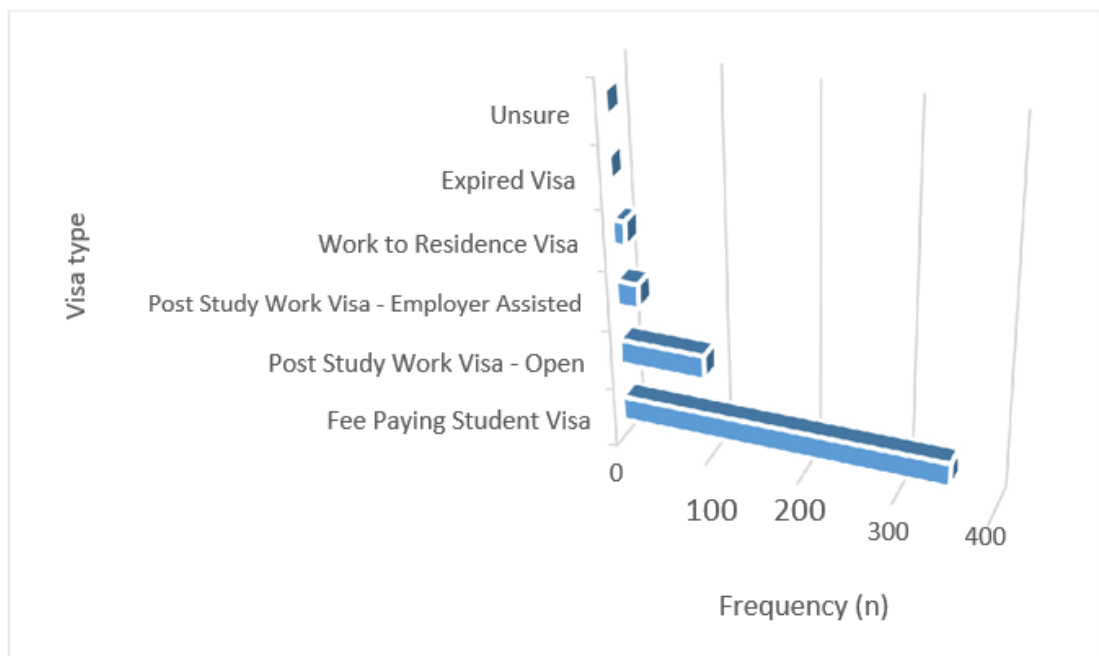
While for one, the location of information was most important:

*“I am working on the history of the ***, and a large amount of archives are stored in New Zealand (sic).”*

5.4.2 Survey Respondents’ Visa Categories

Three-hundred and fifty-five (73.5%) of respondents had a current Fee Paying Student Visa, while 93 (19.5%) had a Post Study Work Visa - Open. These two categories dominated the responses with 93.5 percent. Twenty-four (5%) had a Post Study Work Visa Employer-Assisted. Only 13 (1.5%) had a Work to Residence Visa and no expired visas were reported. Just over one-quarter (25.5%) of the respondents had no previous tertiary qualification, nearly three quarters of survey respondents (74.5%) having tertiary qualifications before studying in New Zealand. This was a very high proportion given that most were studying at education levels that did not encompass a degree being awarded. The category of those who had previously studied at tertiary level was dominated by Indian students, where 202 out of 224 (90%) of the sample reported having a university degree.

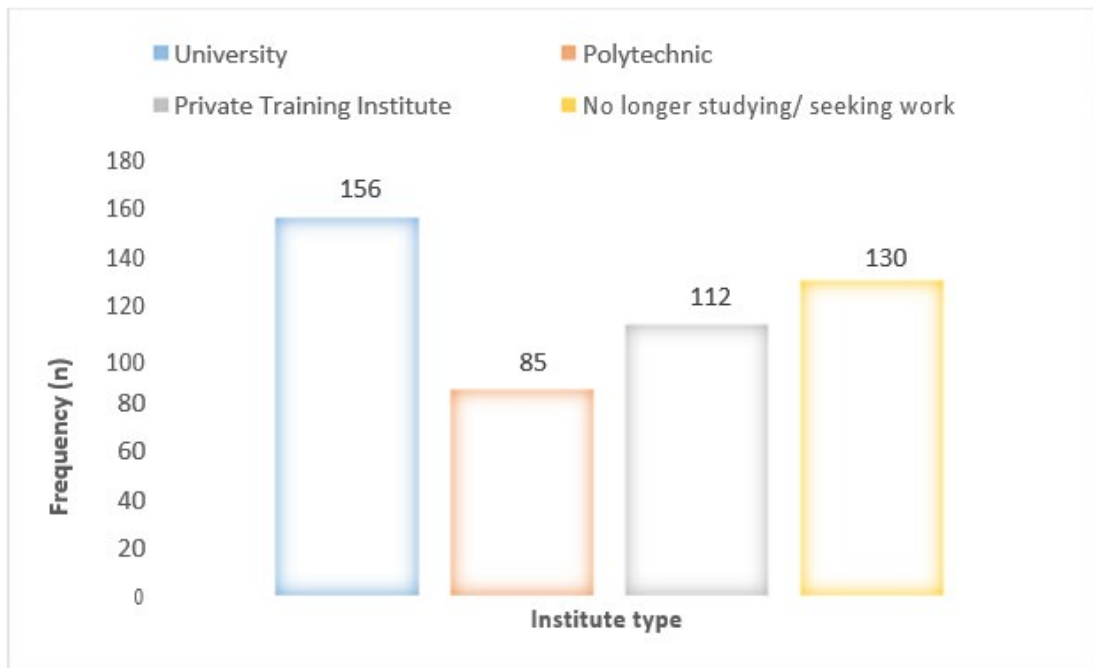
Figure 5.2. Respondent Visa Category



5.4.3 Educational Institute Type and Qualifications Undertaken

Thirty-two-point five percent of respondents were studying at university, followed by private training institutes (23%), then polytechnic (17.5%). That over half the students surveyed were studying at university and polytechnic may reflect higher language competence and their previous study experience²².

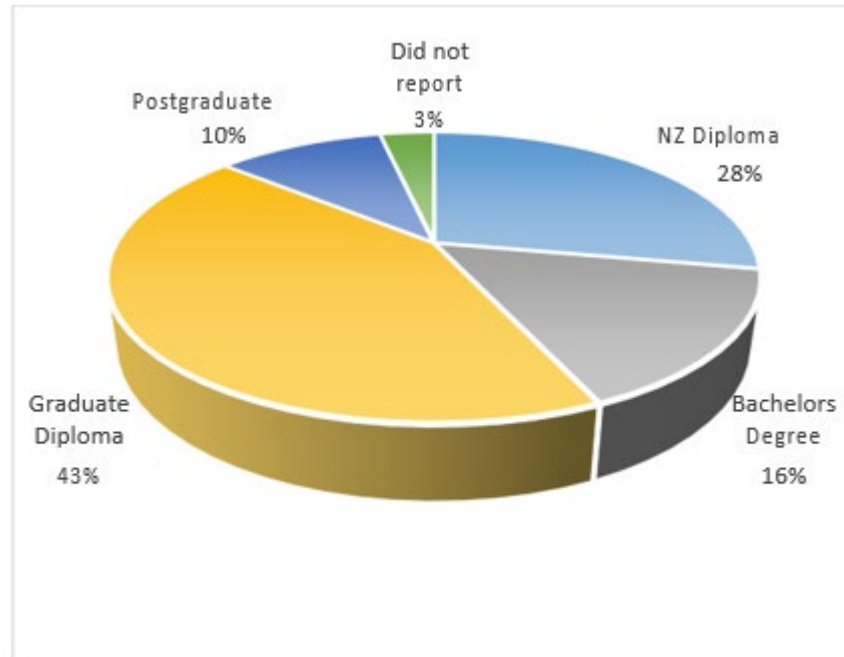
Figure 5.3. Educational Institute Type



The Graduate Diploma qualification was the most represented, with 43 percent of the sample, followed by 28 percent studying for a Diploma qualification. A lower proportion was those studying for a Bachelor or postgraduate degrees (15% and 10%), with the degree qualifications undertaken making up one-quarter of the sample. Sixteen did not report. While the subject areas of qualifications undertaken were varied, of note is the dominance of Business and English qualifications (24% and 17%, or 41% of the total). Hospitality (15%) and tourism (7%) also had significant numbers of students in the PTE sector.

²² As discussed in literature in Chapter Three, given that language is one of the key indicators of migrant worker vulnerability, this may have had the unintended consequence of omitting some lower-level students who could be potentially be more vulnerable to workplace exploitation.

Figure 5.4. Qualification Undertaken



From Section Three the online survey separated those who were still studying (n= 353) and who had completed their study (n=130). International students working while studying or who had worked in the previous 12 months completed the following sections while those respondents on Post Study Work Visas or Work to Residence were directed to different questions, summarised in Stage 1B.

Stage 1A: The Working Experiences of International Students

5.5 Section Three: Financial Circumstances

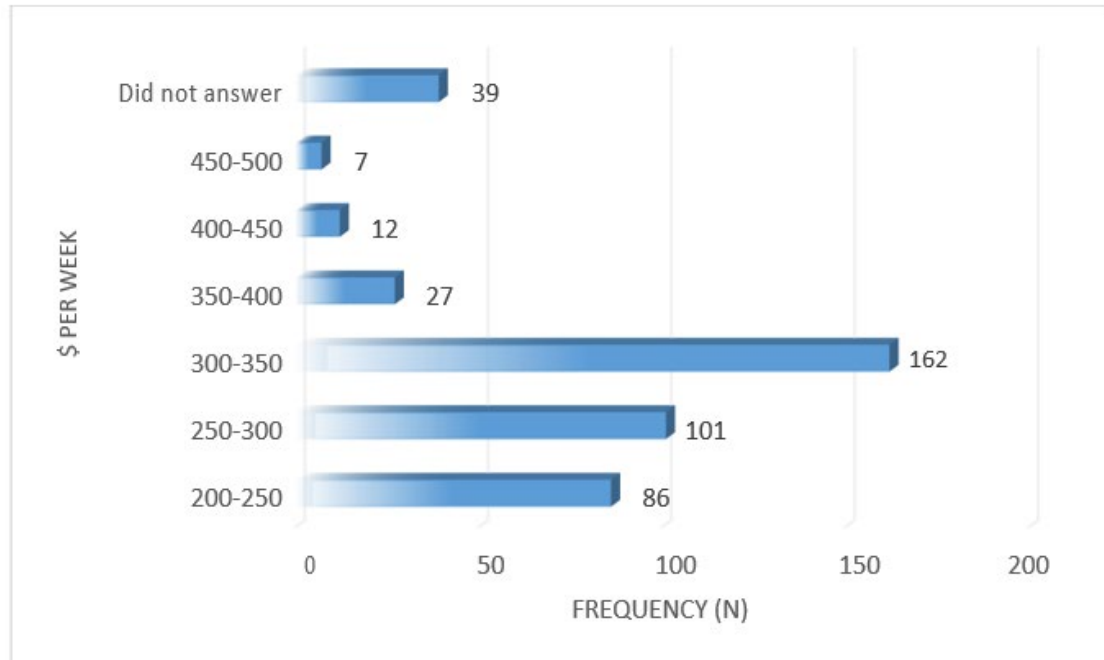
This section summarises the financial situation of international student respondents to understand whether an individual's financial situation is a primary motivation for working while studying and give context to the conditions they labour under. These measurements also link legislated financial requirements while living in New Zealand, previously discussed in the Chapter Three Literature Review.

5.5.1 Cost of Living

Respondents were asked to estimate their cost of living per week while they were working and studying. The findings ranged from \$200 to \$500 per week although 11 percent chose not to answer. The median response was in the \$250-300 range per week for cost of living, with the greatest frequency indicating \$300-350 per week. Chinese students had a greater frequency of answering at the higher range of living costs per week, where all

respondents answering over \$400 per week were Chinese. The primary indicator of costs appeared to be the accommodation that individuals were living in, with those flatting reporting higher living costs than those who were boarding or living with family.

Figure 5.5. Estimated Total Cost of Living per Week



5.5.2 Financial Sources for Study

Students were then asked whether they had a loan for their study in New Zealand. Of the 353 questioned, 199 (or 41%) answered yes. The most common source of loan finance was through family (50.5%) although over a quarter of loans were from a bank or finance company (27%). Also represented were scholarships and government loans (5.5% and 6.5%), while 31 (or 15.5%) chose not to answer. Among those who had a loan, only one-third were required to make repayments during their studying, increasing to a much higher level among Indian students (155 or 69% of the total sample). The representation of Chinese having loans in the sample was very low, where only 11 of 173 (0.64%) Chinese reported borrowing money for education. Loan details are summarised in Table 5.3. following.

Table 5.3. Student Loan Characteristics

Loan for study Respondent Information	Yes	No	Total
International students with loans for their course of study	199	284	353
Is the loan repayable while studying?	73	126	199
Is work undertaken to meet loan commitments?	85	88	199

The following section presents the working conditions of international students, the primary research focus of this thesis.

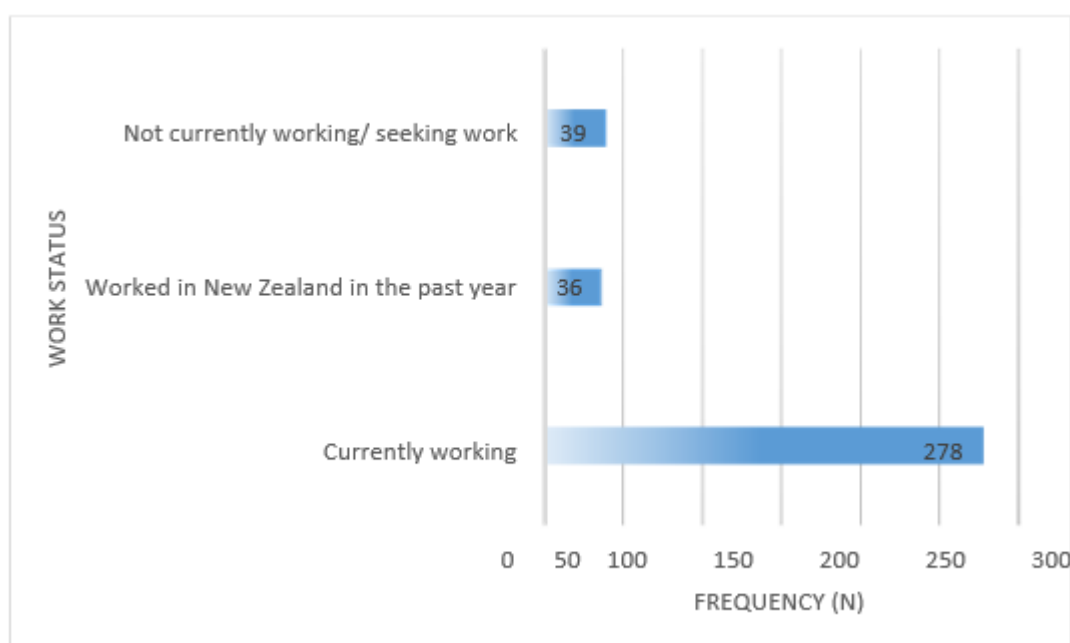
5.6 Section Four: Working in New Zealand

International students were asked to reflect on their experiences working in New Zealand while studying. Questions focused on work motivations, terms and conditions, job, business, and employer characteristics as well as employment progression. The next section summarises survey respondents' work status and work motivations.

5.6.1 Respondent Work Status

While all respondents had recent experience in the New Zealand job market, 79 percent of respondents were currently working, followed by those who had worked in New Zealand in the past year, or were seeking work or not currently working (10.5% and 11%).

Figure 5.6. International Student Work Status



5.6.2 Motivations to Work

Participants were asked whether they liked their current or most recent job. Fifty-six percent said yes, while 44 percent said no. Following, they were asked whether they had a friend at work, only 37 percent reporting they did have a friend. Participants were then asked their motivations to work and could select more than one response. Most chosen were financial needs followed by work as a pathway to permanent residency:

“I want to get PR in NZ.”

“Pathway to Permanent Residency.”

“Money but for the NZ experience so I can stay after study.”

Work experience was also a frequent response. In contrast, meeting New Zealanders/understanding the culture, and job satisfaction had low response rates. Other options cited were to improve language, to have something to do, or that the respondent was encouraged by friends (to seek or accept work).

Figure 5.7. Motivations to Work



5.6.3. Work Characteristics

Characteristics of the work obtained were important to understanding conditions of work and their outcomes for international students. Respondents were asked to give details of the employment length and job classifications. Of those who reported their length of employment (n = 315), the average time they had been in their job was 12 months although a number reported much longer tenures.

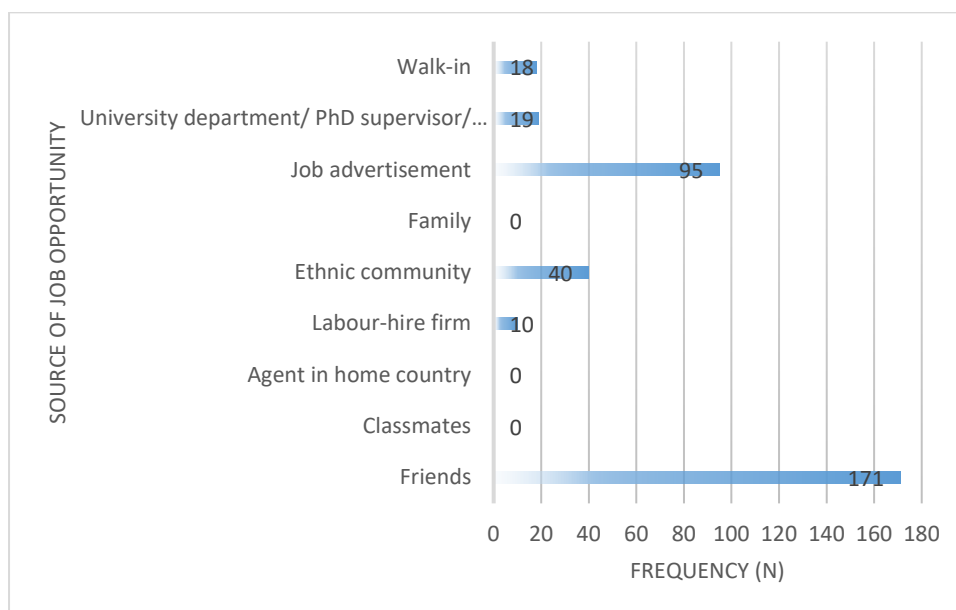
Table 5.4. Employment Length in Current Job

Length of employment	International students' frequency (n)
0-6 months	101
6-12 months	117
1-2 years	68
2-3 years	19
3-4 years	10
Not working/ seeking work	38
Total	353

5.6.3 Source of Current Employment

Although international students reported some traditional methods such as job advertisements (27%) as an employment source, by far the most common source was friends, at 48.5 percent. Ethnic communities were also a valuable source of job opportunities (11.5%), as were educational institutes and their employees (5.5%). While five percent of students gained employment by walk-in enquiry, none reported gaining work through classmates, agents in their home country or family. Labour hire firms were represented in small numbers (3% of the total), representing work in the construction sector.

Figure 5.8. Source of Current Employment



5.6.4 Job Characteristics

Respondents were asked to self-classify themselves from a dropdown menu into the work category that most closely resembled their current (or most recent) position. These categories are derived from the Australian and New Zealand Standard Classification of Occupations (ANZSCO), used by Statistics NZ to measure key work sector statistics.

Table 5.5. Respondent Work Category

Work category (ANZSIC06 Division)	International Student Frequency (n)	Percentage %
Managers	114	32.5
Professionals	57	16
Technicians and Trades Workers	48	13.5
Community and Personal Service Workers	9	2.5
Sales Workers	56	16
Clerical and Administrative Workers	38	10.5
Machinery Operator and Drivers	9	2.5
Labourers	22	6
Total	353	100

The most frequently occurring self-categorisation was manager, followed by professional. Sales workers were a close third, then technicians and trades workers. Respondents were then asked which industry they were currently working in or most recently worked in. Industry variety was evident with all industry classifications having

representation, the largest being H: Accommodation and Food Services, G: Retail trade, and N: Administrative and Support Services. Together these three areas represented 44.5 percent of the sample.

Table 5.6. Industry Representation

Industry (ANZSIC06 Division)	International students' frequency (n)	Percentage %
An Agriculture, Forestry and Fishing	16	4.5
C Manufacturing	8	2
D Electricity, Gas, Water, and Waste Services	29	8
E. Construction	11	3
G. Retail trade	51	14.5
H Accommodation and Food Services	58	16.5
I Transport, Postal and Warehousing	16	4.5
J Information Media and Telecommunications	9	2.5
K Financial and Insurance Services	5	1.4
M Professional, Scientific and Technical Services	10	3
N Administrative and Support Services	48	13.5
P Education and Training	38	10.5
Q Health Care and Social Assistance	37	10.5
S Other Services	14	4
Not reported	3	1
Total	353	100

5.6.5 Business Characteristics

Business characteristics were asked to better understand the organisations international students work for while they are studying. Seventy-one percent of businesses were reported to be New Zealand-owned, 13 percent were international franchises, with 16 percent unreported. All business sizes were represented in the findings. The most commonly occurring was 20-49 employees, followed by more than 100 employees.

Table 5.7. Business Size

Business size (ANZSIC06)	Frequency (n)	Percentage %
1–5 EC	42	11.9
6–9 EC	43	12.2
10–19 EC	19	5.4
20–49 EC	103	29.2
50–99 EC	52	14.7
100+ EC	61	17.3
Did not report/ know	33	9.3
Total	353	100

5.6.6 Business Location and Employer Nationality

Sixty-nine percent of international students worked at businesses located in Auckland. Following was Christchurch at 18.5 percent, Dunedin at nine percent. Some detail about the business-owner and manager nationalities was asked of the international students working and studying and those on Post Study Work Visas. Both the business owner and managers' nationalities were predominantly identified as New Zealanders (42% and 32.5%) while some were identified by their ethnicity. The main ethnic groups identified as business owners were Indian (26.5%) and Chinese (11%). Similarly, managers were also represented as being Indian (29%) and Chinese (23%). Several other groups were also identified. This definitional confusion means it is not known if the owner/managers are residents or citizens in New Zealand. It could be presumed that they may be a combination.

The following section summarises pay and working conditions.

5.7 Section Five: Remuneration and Working Conditions

The hours and pay of survey respondents, along with legislative compliance is presented next. This section is particularly relevant from a protective stance, given clear delineation between legal and illegal wage rates in legislation, as well as visa limitation on working hours for international students.

5.7.1 Employment Contracts

Two hundred and twenty-eight international students had an employment agreement, while 104 did not and 21 were unsure. Most (168) students who had a contract were aware of the terms and conditions of their work.

5.7.2 Hours of Work

Prior research findings domestically and internationally have often centred on hours of work and rates of pay being key markers of vulnerability (or otherwise) for migrants. Therefore, this section was considered especially relevant given the hours of work restrictions placed on this visa category. While work hours ranged from 2 to 50 hours per week, the average number of reported hours worked was 19.7 hours, just below the legal limit of 20.

Table 5.8. Average Hours Worked per Week

Number of hours (p/w)	International Student Frequency (n)	Percentage %
0-10	88	25
10-20	96	27.2
20-30	79	22.4
30-40	35	10
40-50	55	15.6
Total	353	100

Minimum hours of work were guaranteed for 208 respondents while 145 were not, with 198 having regular hours although 155 did not. Fifty-five percent of respondents thought the working hours they had were about right although 38 percent wished for more hours, while only 21 (9%) wished for fewer hours. When asked if their work hours affected their study commitments a resounding 87.8 percent answered no. However, 44.5 percent of the sample were working more hours than those mandated by their visa (Immigration New Zealand, 2016), and of that percentage 22 percent were working more than full-time

hours weekly in addition to their study²³. Of interest was that only three of the 12 postgraduate students eligible to work fulltime were doing so, so the majority of long hours were at the undergraduate stage, where 20 hours is the limitation.

5.7.3 Remuneration

International students were asked how much they earned per hour before tax. During this research stage (November 2014- September 2015), the minimum wage per hour was \$14.25 per hour, increasing to \$14.75 per hour from 1 April 2015. This accounts for the glut of responses in this range (44%) although a substantial number fell below the minimum wage threshold (50%). Rates below minimum wage assumes these workers are not contributing to income tax and ACC levies. The pay range was between \$5 and \$35.00 with the average pay per hour being only \$8.20.²⁴ Only six students reported earning over \$20.00 per hour. The connection between low pay rates and ensuing high work hours was evident with those reporting low (illegal) wages working much higher hours than those working for minimum wage or higher.

Table 5.9. Remuneration for Current Position

\$ per hour	Frequency (n)	Percentage %
0-5	6	1.5
5-10	79	22.5
10-11	31	8.5
11-12	48	13.5
12-13	13	3.5
13-14	0	0
14-15	152	43
15-16	0	0
16-17	4	1
20+	6	1.5
Did not report	14	4
Total	353	100

²³ Those studying at a Master or PhD level are able to work fulltime in addition to study. However, of the 35 studying at a postgraduate level, 23 were undertaking a graduate or postgraduate diploma so were not eligible to work fulltime.

²⁴ While only seven respondents (or 2%) had ever worked in an unpaid internship to gain New Zealand experience, this indicates that some employers are using the pressure international students have to find work to 'offer' them unpaid positions.

5.7.4 International Students' Perceptions of Pay Fairness

Two hundred and thirty-eight (67.5%) of those working while studying felt their pay was fair, but 115 did not. When asked why or why not, responses were varied:

A university tutor wrote: "Considering the salaries at other institutions/departments, \$45-50 per hour would be more adequate."

Others commented that the pay did not reflect the experience required or there was no progression:

"I am required to have excess knowledge beyond what is expected for a minimum wage worker."

"I am working as a checkout supervisor and my pay is just one dollar more (per hour) than an operator which I do not find it fair."

"I have started my job on minimum pay rate on 20th November 2013 and after 15 months of hard work I am still on minimum pay rate. Even in between I have worked full time as well."

Still others wrote of the hour limitation affecting income:

"On student visa minimum pay we need like more than \$350 to fulfil all expenses and like need 30 hours per week on student visa."

Those who saw their pay as unfair were asked to comment why. A lack of employment equity, racism, and commission-based pay were all commented on:

"We are temporary we get less. Local people make more."

"Because the agency cuts half of our pay."

"Other professionals with the same level of expertise are earning anywhere between 70 - 100ks +."

There was little correlation between the perception of fairness and pay levels, the length of employment, and job type found. Only four (1%) had been given a pay increase in their current job while 22 (or 6%) of respondents had been given a promotion:

"Made a quarter million-dollar impact in business owing to my three months of work in digital marketing strategy. When asked for a performance-tied bonus, it went unheard. Disappointed."

This was despite some long job tenures indicated in some cases. However, despite some negative comments, most respondents felt their working experience had positive qualities. These are presented in the following section.

5.7.5 Participant Knowledge Skills and Attributes Gained from Working in New Zealand

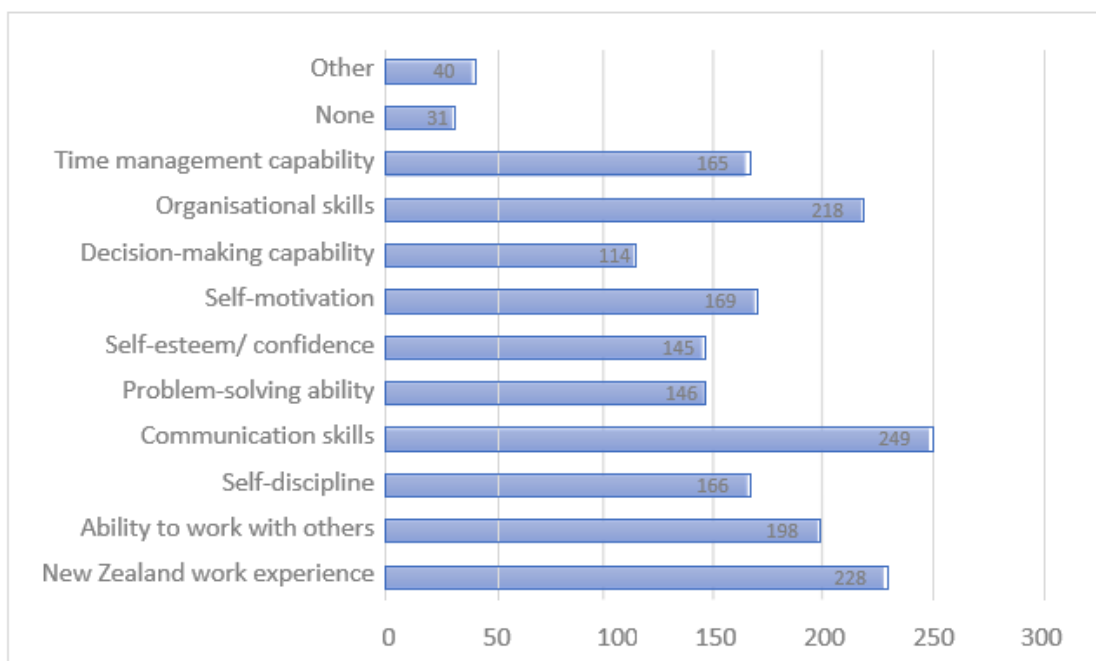
Survey respondents were asked what they believed they had gained from working in New Zealand. The primary attributes listed were communication skills, organisational skills, and New Zealand work experience. Self-motivation, self-discipline, and time-management capability also featured highly, followed by problem-solving ability, self-esteem, and confidence. The lower representation of decision-making capability correlated to the entry-level jobs that respondents reported. Thirty-one respondents claimed gaining no positive attributes while 40 added other answers, primarily negative. These included “knowing what I don’t want to do” (23) and conflict resolution (14):

“Extremely dull people, unqualified managers, lack of vision, and general incompetence.”

“Determined to work hard even though bad job.”

Fifty-three percent of those surveyed felt their work was relevant to their course of study while 47 percent did not.

Figure 5.9. Participant KSAs Gained from Working in New Zealand



The next section investigates international student legislative knowledge and workplace health and safety.

5.8 Section Six: Health and Safety in the Workplace

The survey questions in this section began with the assumption that for international students to have good OHS, a knowledge of protective legislation was desirable. Therefore, the section began by asking about New Zealand employment regulation.

5.8.1 Legislative Knowledge

International students were asked about their awareness of New Zealand's employment legislation. The largest group (159 or 45%) indicated they had some/ incomplete knowledge, and 119 (34%) responded that they were aware of the legislation. Twenty-one percent reported little awareness. Most respondents (171) reported being given health and safety training at work although 160 reported not being given it, while 22 were unsure.

5.8.2 Safety at Work

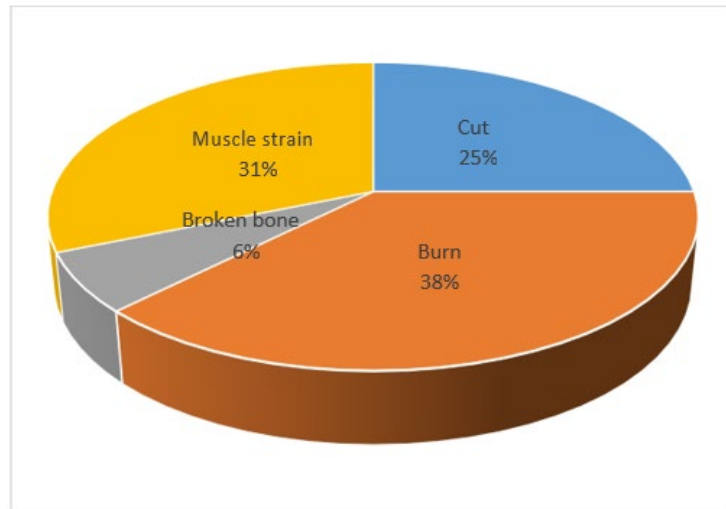
Despite most responses indicating limited or no knowledge of employment legislation, a significant majority (332 or 94%) of students reported they felt safe in their workplace:

“Boring, but safe.”

“It is a shop, not much to get injured by. Some of my friends (other international students) have got injured, nasty work.”

Of the 32 who reported a workplace injury at work, 28 had reported feeling unsafe in their workplace in the previous question. The following table shows the injury types reported. Of those who had received an injury, only three (11%) reported their injury to Accident Compensation Corporation (ACC). Twenty-two did not report their injuries while seven were unsure.

Figure 5.10. Workplace Injuries



5.8.3 Working Conditions

The next section looked more specifically at the conditions of work, asking respondents to consider whether their treatment at work has been fair.

5.8.3.1 Workplace Exploitation

While most students reported feeling safe in their workplaces, this was followed by a seemingly contradictory answer where the majority (219 or 62%) also reported feeling exploited²⁵. The primary reason cited as exploitation was breaches of employment conditions (182) although harassment (19) and bullying (14) were also mentioned:

“I don’t get paid right. My hours never add up, so I am below minimum wage. When I ask, he (the supervisor) says “do I want the job?”

“Work extra but sometimes paid wrong. Sometimes hours cut last minute.”

“Customers get close sometimes, try and touch me. I don’t like being at the bar, drunk men.”

“I sometimes feel bullied by the HR manager at workplace. He looks down upon me as I am a supervisor and he is a manager. Moreover, recently he has started asking me to operate at checkouts while I am on my half an hour or twenty minutes break and if I say no to it than he gets sarcastic with me and tells me off.”

²⁵ 54 (15%) did not respond.

However, there were also numerous comments from international students saying they enjoyed their jobs and were treated fairly:

“Yes, it’s fair and very healthy working environment.”

“Yes, I’m treated fairly, as is all other staff, regardless of their nationality or colour.”

“Boss fair.”

“I love this job.”

Nonetheless, with 62 percent of the sample reporting workplace exploitation, it was necessary to ask further about these conditions, presented below.

5.8.3.2 Who Exploits International Students?

Of those reporting exploitation, an overwhelming 89 percent said their manager was the person exploiting them. Most (84%) reported they would not raise any employment concerns with their supervisor or manager, citing fearing their work would be ended or working hours might be cut (203) or that their employer would not sponsor their visa later (13). Also recorded was awareness of a power imbalance and feeling uncomfortable in the workplace. Comments included:

“Well, the NZ system is geared towards migrant exploitation mate... getting a taste of corporate NZ.”

“I really do not feel that the way my HR manager or Duty Manager is treating me at workplace is fair.”

“I have prospects for staying here. The owner, he says he will sponsor me later. So, have to ignore things I wouldn’t otherwise.”

Reiterating the theme of potential exploitation, details were asked about whether workers had work outside New Zealand legislation. The results are reported following.

5.8.3.3 International Students Working Outside Regulations

One hundred and sixty-four respondents (46.5%) reported working outside New Zealand regulations while 189 reported not doing so. However, the number of 164 contradicts the question prior where 182 people reported breaches of employment conditions. The inconsistency could perhaps be explained by whether the employment breaches were considered employer or employee-led, where a perception of ‘employee choice’ is the difference.

Those working outside minimum work and visa conditions primarily reported working extra hours (55%) although 36 percent reported working for below minimum wage. The remaining (9%) reported working for ‘cash-in-the-hand’:

“Yes, I did work extra, while working as a CSR, was paid under table, by the employer at less than minimum wages.”

“Extra hours worked but costs a lot here.”

“I have to work way more (than 20 hours) just to live.”

“Not enough pay, so working most weeks if I can.”

“Working 20 hours only is a less (sic) for immigrants when they have to pay a lot of debts. It must be increased to 30 hours. My course duration is 20 hours each week. Instead of staying at home person can wish to go at work (sic) if allowed.”

5.8.3.4 Reporting to the Authorities

Among the 219 reporting exploitation, only nine had complained to authority of some kind. The reasons given for non-reporting were fear of authority, potential loss of visa, and needing to keep their jobs. When asked if they would have pursued a complaint if they knew they would be protected from repercussions such as deportation of visa cancellation, most were ambivalent about pursuing this avenue, with only 41 out of 219 (19%) saying they would.

When asked why not, answers quickly identified a mistrust of authority as the primary reason for non-reporting:

“It is immigration, they don’t care (about us). They make things difficult. I would not tell them anything.”

“Would complaining make the situation any better? No. It’s endemic...”

“I know of people who complain, who got deported, lost their fees, everything.”

“Who gives the guarantee? Could you explain?? Most students don’t want to take a litigator route, being new in the country.”

Eight mentioned a lack of collective representation, feeling this would be needed to pursue a complaint:

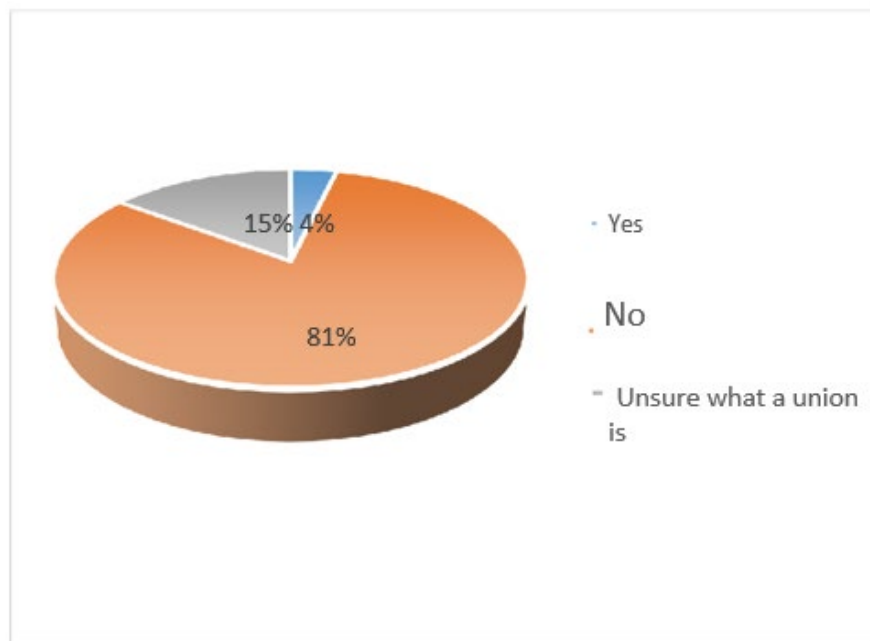
“I do not think anything better is going to happen at workplace because we do not have any union. However, being an immigrant, I cannot do anything alone.”

Union involvement is discussed in the following section.

5.8.4 Union Representation

Workplace union representation and membership was very low in this cohort. While 86 respondents reported there was a union in their workplace, 214 reported there was not, and 53 said they were unsure. Only 13 of the sample were union members (3.7 %). However, 51 respondents professed not to know what a union was. The lack of union reach indicated that the service sector employment where international students congregate is still limited in its collective representation.

Figure 5.11. International Student Union Membership



5.9 Future Progression

The final section asked international students about their intentions at the end of their study and whether they were pleased with their ‘New Zealand experience’.

5.9.1 Intention to Stay in New Zealand

Nearly 70 percent of those surveyed intended to stay in New Zealand after study. Most who were intending to leave New Zealand said they would return to their home country although some said that they hoped to return to New Zealand in the future. Of those who were returning home, some cited lack of opportunity and poor working experiences as the cause:

“Back home maybe. Too hard to find good work.”

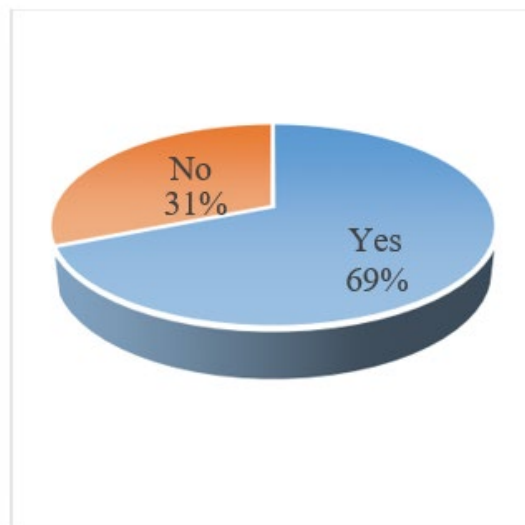
“My work (cleaner) ok as I study. But my family would be shamed if I kept doing this. So would I.”

There was also anger in some responses, seeing New Zealand as having poor employment practices:

“Bangalore, where opportunities galore [sic]. Already have a job offer in an MNC and don't want to waste my career and energy working with unqualified idiots. My CEO is barely high school pass and is there because he belong [sic] to the old boys' network. He wouldn't even be an office peon in India, where a degree is a must, and hard work is celebrated, unlike anti-intellectual, beer guzzling, diseased by rugby... incompetent kiwis.”

If intending to stay, most students were hoping to find a job in the field of studies they had pursued in New Zealand although many said that they needed to gain more New Zealand experience before they had the potential to move into ‘better’ jobs. This pragmatism acknowledged a ‘need’ for more local experience before attempting progression even though most of these jobs were not at a high skill level. Key findings were the desire to be in a skilled and/or professional role and to earn more money.

Figure 5.12. Intention to Stay in New Zealand



When asked whether they would recommend studying and working in New Zealand to family and friends, however, the response was more mixed. While the majority (54%) said yes, a significant number (46%) did not agree or were unsure. Key reasons for staying were perceived low crime and corruption, natural environment, friendly people, job advantages, and good employment practices:

“New Zealand is a great country with low crime and less corruption. It is a totally secured [sic] country and good for immigrants. Government of NEW ZEALAND is very good with immigrants. More job advantages are here.”

“It's a quite [sic] safe place and easy to find a part-time job during studying. Nice environment.”

1. Kind people 2. Friendly atmosphere 3. Less population 4. Opportunities 5. Moderate weather (Not like US/Canada).”

“It is a beautiful place and a nice change of scenery. Would recommend doing an exchange or something.”

“Professional Working Environment.”

“I am from France, and I studied in France and in the United States of America. As far as I can tell, my experience in New Zealand is the best: teachers are dedicated and enjoy their work, people are nice, the overall quality of instruction given to students is very good and the country is beautiful. New Zealand is a country where I only met nice and tolerant people, and I really appreciate that.”

“Conducive educational environment. Also good to have working experience in New Zealand. Good employment practices.”

“Course duration, part-time job opportunity, no racism.”

Reasons for leaving were the high cost of living (especially in Auckland), courses not preparing you for work, the low possibility of finding a study-related job, low salaries, and better work opportunities overseas:

“Very expensive and jobs are no good. Course no good either. (uni).”

“Keep raising tuition fee and low possibility to find a study-related job.”

“In comparison to Europe studying in NZ is on quite a low level. Courses are too easy, you don't get prepared for work life. For that you pay high international fees. However, this is my subjective experience.”

“The country is well worth it, but not so much for the study and the work. For international students the degree is too expensive, and salaries are below average by international comparison.”

“The cost of living is too high in all categories for the low wage. Jobs are hard to find if you are on a visa, unless you have a special skill set. You can make better wage where the earnings go farther in Australia, Canada and the

“Cost of living is high, though NZ is a nice place. Auckland is not recommended.”

“Quality of education is an absolute joke. I regret wasting my money studying here. My high school in India was harder than the education here, which I sailed through. Fellow kiwi students, are ignorant, pathetically stupid zombies, who couldn't dream beyond beach, booze and bitches.”

“Because sometime feel like they are racist to Indians and not give any opportunity to them.”

The final question asked whether studying in New Zealand was a *good deal*. It was intentionally left open for respondents to define what a good deal was. Two hundred and fifty agreed, 57 said no, and 46 were unsure. This positive response was over two-thirds of the sample, indicating a high satisfaction level among international students with New Zealand overall, despite some concerning trends indicated. Finally, several international students offered additional comments about studying in New Zealand, the New Zealand lifestyle, and their opinions regarding policy settings for export education:

“I think it is bad here if you not a local. People not friendly and hard to study and work. Makes me sad.”

“Employers do not hire international students without special connections.”

“People are very nice mainly local community and culture is open for all international student.”

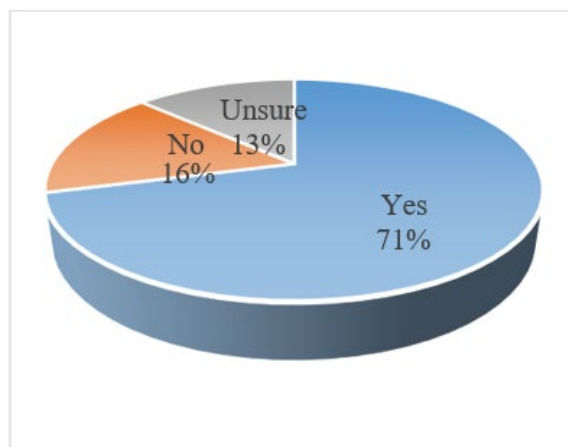
“Cool place cool people cool country and cool kiwis.”

“You feel better to study in different country and gain knowledge and many opportunities.”

“Life has taught me many different lessons. But to live independently and survive the most difficult conditions is [sic] experienced by me in NZ only. So over all it is a good experience for me.”

“Yes, you will be exploited. So, don't waste your time here, go to Asian countries or India, where qualification is valued. It took me six months to find a job, and during that time I went through a depression and so many issues. NZ is not a land of milk and honey, especially if you ain't white.”

Figure 5.13. Is Studying in a New Zealand a *Good Deal*?



The following section summarises the survey findings of international students who have transitioned from a Fee Paying Student Visa to a Post Study Work Visa or Work to Residence Visa.

Stage 1B: Working Experiences of Post Study Work Visa Holders

The following section summarises the findings for Post Study Work Visa holders in this section (n= 130). The Participant Characteristics of this group have been summarised along with educational experiences in Sections One & Two previously. Post Study Work Visa holders were then directed to questions relevant to their circumstances. The results are summarised below.

5.10 Section Three: Financial Circumstances

Those who had transitioned to a Post Study Work Visa were not asked about their living costs like those in Stage 1A as the primary focus here was on working conditions while studying and there is no legislated cost of living component to these visas. However, this group was an important information source as they could reflect on their working experiences while studying as well as post study. Their movement between visa categories and employment also provides a rich source of comparative data. They were asked whether they had a loan for their study and if so the financial source. Twenty-seven had a loan (21%) - all Indian. All were making repayments post study and all reported borrowing from banks or moneylenders.

5.11 Section Four: Working in New Zealand

International students were asked to reflect on their experiences working in New Zealand after transferring to a Post Study Work Visa. Questions focused on work motivations, terms and conditions, job, business, and employer characteristics as well as employment progression. The next section outlines survey respondents' work status and work motivations.

5.11.1 Respondent Work Status

Of the 130 responses, 124 of the students were currently working while six were seeking work.

5.11.2 Motivations to Work

Respondents were asked whether they liked their current job, with 51 percent responding yes while 49 percent said no. Following, they were asked whether they had a friend at work, 51 percent reporting they did have a friend. Motivations to work had little variation in answers, where 59 percent stated they were working as a pathway to permanent residency while 38 percent answered to gain New Zealand work experience. Given the interconnection between the two main answers, it may be that the need to gain work experience was to fulfil visa criteria. A small number mentioned paying bills and saving money as their primary motivation for working.

5.11.3 Source of Current Employment

Respondents were asked the source of their current or most recent job opportunity. Ethnic communities (42%) and friends (30%) were the most common responses, then job advertisements (19%). Eight percent of respondents reported their educational institutes had hired them, mainly in tutoring jobs.

5.11.4 Job Characteristics

Nearly two-thirds of those on Post Study Work Visas identified themselves as managers, followed by 19 percent as technicians and trades workers and 17 percent as professionals. These three categorisations comprised 100 percent of responses, showing little variety in job categorisation.

Table 5.10. Respondent Work Category²⁶

Work category (ANZSIC06 Division)	International students' frequency (n)	Percentage (%)
Managers	83	64
Professionals	22	17
Technicians and Trades Workers	25	19
Community and Personal Service Workers	0	0
Sales Workers	0	0
Clerical and Administrative Workers	0	0
Machinery Operator and Drivers	0	0
Labourers	0	0
Total	130	100

Table 5.11. Industry Representation

Industry (ANZSIC06 Division)	International student frequency (n)	Percentage (%)
A Agriculture, Forestry, and Fishing	0	0
C Manufacturing	4	3
D Electricity, Gas, Water, and Waste Services	0	0
E. Construction	2	1.5
G. Retail trade	52	40
H Accommodation and Food Services	25	19
I Transport, Postal, and Warehousing	3	2.5
J Information, Media and Telecommunications	7	5.5
K Financial and Insurance Services	5	4
M Professional, Scientific, and Technical Services	2	1.5
N Administrative and Support Services	17	13
P Education and Training	10	3
Q Health Care and Social Assistance	0	0
S Other Services	3	2.5
Not reported	0	0
Total	130	100

²⁶ For current or most recent employment.

5.11.5 Business Characteristics

Sixty-five percent of businesses were reported to be New Zealand-owned, 20 percent were international franchises, with 15 percent unknown. All business sizes were represented in the findings. The most commonly occurring was 10 -19 employees, followed by 6-9 employees.

Table 5.12. Business Size

Business size (ANZSIC06)	Frequency (n)	Percentage %
1-5 EC ²⁷	17	13
6-9 EC	38	29
10-19 EC	41	31.5
20-49 EC	3	2.5
50-99 EC	8	6
100+ EC	23	17.5
Did not report/ know	0	0
Total	130	100

5.11.6 Business Location and Employer Nationality

Of the Post Study Work Visa holder's 71.5 percent worked at businesses located in Auckland, followed by Christchurch at 28.5 percent. These were the only locations represented. Both the business-owner and manager nationalities were predominantly identified as New Zealanders (48% and 37%) although Indians had the second highest representation (22% and 20%). Several other groups were also identified.

The following section summarises employment conditions of respondents.

5.12 Section Five: Remuneration and Working Conditions

The hours and pay of those surveyed, along with legislative compliance, are summarised below. This section is particularly relevant from a protective stance, given clear delineation between legal and illegal wage rates in employment legislation and visa conditionality.

²⁷ EC = employee count.

5.12.1 Employment Contracts

One hundred and two Post Study Work Visa holders had an employment contract while 28 did not. Of those who did have a contract, most (96) were aware of the terms and conditions of their work.

5.12.2 Hours of Work

While reported work hours ranged from 20 to 50 hours per week, the average number of hours worked was 34.7 hours. Sixty-eight-point five percent of those who were working were classified as having full-time hours²⁸, with minimum hours guaranteed for 105 respondents and 110 having regular hours of work. Eighty percent thought their hours were about right, with the remaining 20 percent wanting more hours. Of those wishing for more hours, most had the Post Study Work Visa Employer – Open category.

Table 5.13. Average Hours Worked per Week

Number of hours (p/w)	International student frequency (n)	Percentage (%)
0-10	0	0
10-20	0	0
20-30	26	20
30-40	89	68.5
40-50	15	11.5
Total	130	100

While respondents in this section were primarily working full time, this was not necessarily the case with all respondents. Respondents were not asked about pay rates as it is assumed that many would be on salaries,²⁹ which would be difficult to compare with hourly rates. However, they were asked to comment on their perceptions of pay fairness - consistent with Section Five, Stage 1 A. Fifty-two percent felt their pay was fair while 45 percent did not. Of the 130 responses, 55 reported receiving a pay rise during their employment, although only 27 had been promoted.

²⁸ For statistical purposes, Statistics New Zealand defines full time as working 30 hours or more per week.

²⁹ Work to Residence Visas have a salary requirement while the Post Study Work Visa Employer Assisted Visa (now eliminated) had a full-time work requirement: <https://www.newzealandnow.govt.nz/move-to-nz/new-zealand-visa/work-visa/residence-work-visas>

Of those who considered their pay unfair, most frequently commented was that they believed they were being paid less as migrants, or that the pay did not reflect their experience or qualification. Some who were unsure of whether their pay was fair commented about the lack of transparency of pay levels in organisations:

“They (employers) know it is hard for us to get a job. So, they pay less. We (migrants) all know that is the deal.”

“I have a degree, postgraduate too. More than anyone in my office. And long work experience. But I found out the pay is less (for me).”

“In my country (China) many jobs have a pay scale so you know what you get. Here they name a price and you don’t know if it is fair. I have found in my job (office work) that I get lower paid than others doing the same.”

Notwithstanding some concerns over working conditions, most reported gaining positive KSAs from their work in New Zealand.

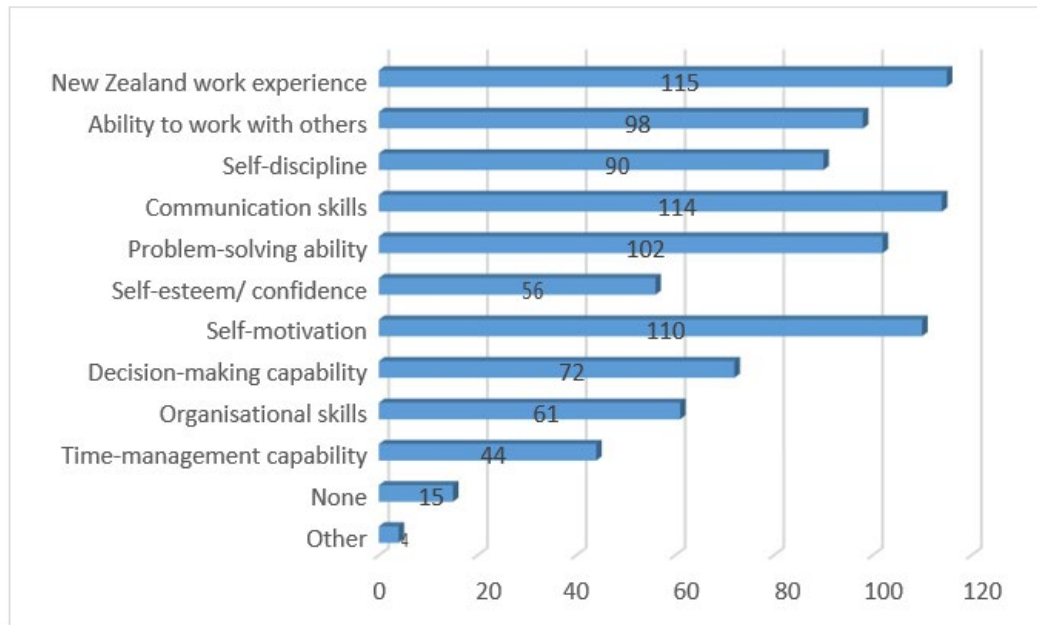
5.12.3 KSAs Gained from Working in New Zealand³⁰

Post Study Work Visa holders felt they had gained positive characteristics from working in New Zealand during and after their study. New Zealand work experience, communication skills, and self-motivation were the most cited, followed by the ability to work with others and self-discipline.

Decision-making capability and organisational skills along with self-esteem/ confidence had much lower representation while 15 respondents indicated they felt they had gained no attributes. Other responses included dealing with poor work conditions (28), “standing up to poor treatment” (3) and dealing with racism (9).

³⁰ Respondents could give multiple responses to this question.

Figure 5.14. KSAs Gained from Working in New Zealand



5.12.4 Working Conditions

Survey respondents were asked to reflect on whether they ever felt exploited in their workplace while studying or after completing study. Eighty-one percent said they felt that in retrospect they had been exploited while working as international students, and 55 percent felt they were exploited in their current position. Many commented they now had greater knowledge of employment legislation and New Zealand norms with which to reflect on their experiences:

“I had training for the first time. They told us what was legal and illegal here. And I found I was ripped off in my last job more than I knew at the time.”

“They treat me legally but no extra.”

The primary causes of exploitation were breaches of employment conditions (80%) and exploitation by their manager (85%) or a colleague (15%). None had raised concerns with their employer, citing the need to keep the job or fear as primary motivations to stay quiet:

“Sometimes I didn’t even get paid. But I found this job after a long time, so I have to keep it.”

Only 22 respondents reported there was a union in their workplace while nine said they were unsure. Six of the sample were union members, 4.6 percent of the total. Of interest was that of the 72 of 130 reporting working outside of New Zealand regulations included

all the union members. Further, a union in the workplaces seemed to have little impact on these findings.

5.12 Future Progression

The final section asked Post Study Work Visa Holders if they intended to stay in New Zealand and, if so, their reasons.

5.12.5 Intention to Stay in New Zealand

Of the 130 respondents, 120 said they intended to stay in New Zealand, but a lesser number thought that studying in New Zealand was a *good deal* (82). Many indicated in comments that they had pragmatically ‘traded off’ certain conditions such as higher wages and better jobs in their home countries to live and work in New Zealand - with the expectation that their opportunities would improve over time. This investment approach saw education and the subsequent transition to work as opportunities to gain residency:

“New Zealand is my home now, after four years. Looking back, I think if I knew how hard it would be, I would not have come here. But now that I have work, have small group of friends my life is here.”

“I didn’t like it here for a long time but with getting a better job and pay my life is okay. Happy I guess.”

“My parents put a lot of money for me to come here. And I will make them proud, building a new life here.”

Final comments focused on the cost of export education and the difficulty of finding work as well as gaining information about New Zealand norms and culture:

“The courses are too expensive for what you get. Nice teachers and people but my classroom in China was better than this. University is easy, people disrespect and do not study. It is not a very good environment.”

“Way too much money. NZ cool but the colleges (university) rips us off!”

“PTEs a waste of money for me. They think you are stupid, that we don’t notice they don’t spend much on materials for us.”

“I didn’t understand anything about NZ. Didn’t know about pay or tax system. I think the institutes should teach more on that.”

No local people spoke to me in my whole degree. I wanted my English to get better, but my friends were all Indian. Only when I got my new job did I speak to the locals- I was embarrassed of my English, of my accent.

5.13 Conclusion

This chapter has presented the key findings of the research survey. With two different samples, Stage 1A sought to present the working experiences of 353 international students, while in Stage 1B and Post Study Work Visa and Work to Residence holders reflected on their working experiences while studying and their transition to fulltime work in New Zealand (n = 130). The survey questions focused on the key areas of studying in New Zealand, financial circumstances, working conditions including work types, wages and hours worked, health and safety, and future intentions.

The demographic characteristics were dominated by Indian and Chinese international students, although gender spread was reasonably even, and the typical ages of the students was in the mid-twenties, consistent with 53 percent of participants having already undertaken tertiary education. Opportunity for residency was the most commonly cited motivation to study in New Zealand, closely followed by the affordability of the tertiary fees.

Key findings of a high cost of living and pressure for loan repayments, as well as misrepresentation of the usefulness of New Zealand tertiary study, framed the working experiences of the international students. The need for work to fulfil financial needs and as a potential pathway to permanent residency meant that job quality was low and dominated by service sector employment. Exploitation within ethnic communities, feelings of exclusion, and low and illegal pay rates were commonplace. Nonetheless, all respondents reported gaining KSAs from their New Zealand working experiences.

There was a lack of knowledge of the employment legislation among those who completed the survey, low levels of OHS training, and high self-reporting of exploitation and working in breach of visa conditions. Discomfort with, or a lack of trust towards authorities, combined with low union representation meant that opportunities to enforce regulations were limited. Despite these emerging findings being of concern, most international students wished to stay in New Zealand following completion of their study and had a high satisfaction level overall.

Nonetheless, those who had moved to a Post Study Work Visa voiced their frustration with inability to transition to better work quality although they had gained New Zealand work experience and qualifications. Moreover, a high self-report of jobs at the manager and professional level were inconsistent with the work undertaken. A lack of progression, pay increases, pay inequity, high reported levels of exploitation, and demarcation and

discrimination as a migrant jobseeker were routine experiences for this research sample. Notwithstanding, an overwhelming majority wished to stay long term in New Zealand.

Chapter Six: Interviews with International Students and Jobseekers about their Working Experiences

6.1 Introduction

This chapter presents the results of the Stage Two semi-structured interviews that followed the initial surveying phase. The surveying stage identified some key concerns needing further investigation, and interviewing was designed to elicit further detail allowing depth during this research phase. As previously discussed, the survey format allowed large-scale data to be collected online, but information gaps and limited depth of response in the format meant that it was always intended that interviews would be needed.

The chapter is structured as follows. The first section presents participant characteristics, followed by respondents' experiences of studying and working in New Zealand. The questioning structure followed the same themes as in Stage One and addresses additional issues that were identified but not explored in the survey. Key topic areas are:

- studying in New Zealand
- financial circumstances
- working in New Zealand
- remuneration and working conditions
- health and safety in the workplace
- future progression.

This chapter concludes by summarising the key findings identified from this research phase in order to address the research questions.

6.2 Section 1: Participant Demographics

The first section presents the participant characteristics of the interview participants. Consistent with the Stage One Survey, participants were international students working while studying (n = 8) and those who had transferred to a Post-Study Work Visa (n = 3). Interviews were conducted in Auckland, the city that all respondents resided in. Discussed previously in Chapter Four, this stage was the most difficult of the three research stages in terms of accessing the desired students and gaining significant responses with English language barriers and participant fear of identification.

Table 6.1. Interview Participant Characteristics

Name	Participant Characteristics	Visa Type	Educational Institute	Current Position
Aarav	Indian male aged 28 (business graduate diploma)	Student Visa	University	Waiter
Sai	Indian female aged 24 (tourism degree)	Student Visa	University	Hotel cleaner
Krishna	Indian male aged 22 (finance graduate diploma)	Student Visa	PTE	Tutor
Prisha	Indian female aged 26 (travel and tourism graduate diploma)	Student Visa	PTE	Waitress
Sunita	Indian female aged 37 (business graduate diploma)	Post-Study Work Visa	University	Shop assistant
Chao	Chinese male aged 21 (accounting degree)	Student Visa	University	Computer sales
Danh	Vietnamese male aged 20 (marketing degree)	Student Visa	Polytechnic	Shop assistant
Kiet	Thai female aged 19 (English literature graduate diploma)	Student Visa	University	Nanny
Naran	Thai male aged 20 (travel and tourism graduate diploma)	Student Visa	PTE	Restaurant dishwasher
Emma	Dutch female aged 21 (finance graduate diploma)	Student Visa	University	Receptionist
Feng	Chinese male aged 22 (economics graduate diploma)	Post-Study Work Visa - Open	PTE	Office worker
Alvin	Chinese male aged 25 (business degree)	Post-Study Work Visa - Employer Assisted	University	Accountant
Camille	Thai female aged 25 (politics Masters degree)	Post-Study Work Visa - Open	University	Office worker

The following section presents opinions of New Zealand as a study destination.

6.3 Section 2: Studying in New Zealand

Respondents were asked why New Zealand had been chosen as a study destination, with the main reasons focused on the perception of safety, cost, and potential to stay longer term in New Zealand. This was despite a lack of knowledge about their study destination:

“You know, I didn’t even know where New Zealand was on a map (laughs). There had been some problems, some problems in Australia with Indians and my parents didn’t like (sic). They wanted me to be safe.” (Krishna).

“It was cheaper than Australia, less of a loan. And we hadn’t heard much about New Zealand, nothing bad. So, a small quiet place was good to study at (sic). Christchurch was my choice, but the earthquakes meant I went to Auckland instead.” (Alvin).

The perception of New Zealand as “clean and green” also influenced some:

“I had breathing problems and I still have asthma. When I was younger, I would always be coughing... So, I needed somewhere cleaner (than Beijing). New Zealand was also cheaper I think.” (Chao).

“It looked beautiful in pictures I had seen, clean and not many people. I like being outdoors so thought it would be nice. But Auckland city is so dirty - much worse than Amsterdam! (Emma).

As did a potential pathway to permanent residency for themselves and other family members:

“China is very big, very difficult to get into a good university, to get a good job now. My family is ordinary, not rich or having contacts (sic). For many like me, if we can we leave to have more opportunities than our parents. They grew up in the country, very poor. So, they want better for us being only children. I will work hard and maybe one day my parents will come here too. They visited here (NZ), liked the quiet, the clean air. The opportunity is for my family too.” (Feng).

“I wanted to go to Canada more than New Zealand, maybe Australia. But my parents had heard that it was harder to stay in those places, stay and get citizenship one day. I am only young, didn’t think about this but my parents did, wanted me and them to have options. It’s an investment really, an adventure for the future.” (Krishna).

“It’s to stay that I am studying. To get a visa and then my parents will come later. They will be secure then... the money they have spent on me will make them secure.” (Prisha).

6.3.1 Education Motivation and Institution Choice

There was little mention of the reputation of the educational institute or courses chosen as a motivation to come to New Zealand, although seven reported that they had looked at study areas that would offer potential for permanent migration with the other four saying they had chosen an area of interest or strength:

“The agent told me I could get a job with this list (skills shortage list). So, I looked at what would be something I could do.” And it worked- I got a good job.” (Alvin).

“I knew my English was not great. So, I needed - to study numbers. The first year was very hard, I failed some papers with writing. But you pay and do them again, so I passed. My English gets better, but I do mainly numbers, easier for me. And I got my (office work) job as I could use my studies.” (Feng).

“I am good at finance more than Arts subjects. So even though my English is fine, it is much easier for me to study what I have already studied at undergraduate.” (Emma).

All respondents had chosen their institution either through word of mouth or at the recommendation of educational agents:

*“My father had someone at his work, someone whose child had gone to *** university. He enjoyed it, thought his course was good. We (family) trusted a recommendation.” (Camille).*

“They (agents) told me the course (business) was really good. So, I picked what they showed me. I didn’t know where to go.” (Aarav).

6.3.2 Perception of New Zealand Education Quality

In terms of satisfaction levels with the course they were studying/ had studied, only 5 out of 11 replied that they were happy with their educational experience. Most expressed concerns about the relevance of their study and lack of links to industry, or teaching quality:

“The way places are advertised in our country (India) I thought it would be fancier, more modern and have better technology. But my college back home was better than this, had more recent systems and computers. The staff were friendly, but many tutors didn’t know a lot - and when I asked them questions, they couldn’t tell me the answer.” (Krishna).

“I didn’t know about the study place (PTE), but many people close to where I live had gone there so people knew it. They said they offered many opportunities and people got jobs (on completion). We believed them but none of us got jobs in our study area” (Prisha).

“We were (international students) in a mixed class, with New Zealand students. But many of us struggled, couldn’t understand the language, the instructions. We had passed the language test (LSAT or IELTS) but it didn’t prepare us for the accent, the fast talking. The lecturer would get annoyed when we asked questions, so we stopped asking.” (Aarav).

6.3.2.1 Education Quality and Pastoral Care

Some of those interviewed reported the difference in teaching styles, combined with English language expectations; made their study difficult:

“It was hard to understand, Kiwis talk way too fast (laughs). My knowledge (of English) seemed good, I was told I was good back home. But... very hard to understand, to work fast enough. It gave me a lot of stress.” (Sunita).

In terms of pastoral care universities fared particularly poorly, with only one respondent out of six saying that they were pleased with the support services offered:

“We had an orientation, got shown around (the university). They did a lunch and we get a newsletter. But not much more than that. They make a killing off us but don’t care really.” (Kiet).

“They have cut the help. I heard most money gets spent on marketing now, not on us. We make them millions - we know that. I feel very alone, in class no one talks to me and I only know a few people from social club (sic)”. (Chao).

PTEs scored better in this regard, with three people mentioning the smaller institution size meant that they had closer relationships with those in charge:

“Everyone know my name, who I am. I feel like they are family now. And we all celebrate national days for different countries, have shared lunches and morning teas with different dishes. It makes you feel like they care about you” (Naran).

“They (staff) would ask us how we are, how the living is. They would give us (legal) information, what is right and wrong. How we should be treated” (Danh).

However, recognised was the limited role the institutions could play:

“Our school is kind, many things on for us. Sometimes you get lonely though, want your family. And they are not your family.” (Feng).

“For our national days they have something, often for birthdays we have celebrations. And our professors are very kind. But it usually is that different nationalities stay together... you know... The Indians stick with the Indians. And it is for education only, not our whole lives” (Kiet).

The primary criticism from Post-Study Work Visa holders was a perceived lack of support after study, feeling that they had little guidance in transitioning to work:

“It (the university) had good choices of course. And it has been good really. But it doesn’t link to industry or help you find work. That has been on my own” (post-study). (Sunita).

“They show you some websites, tell you how to search for a job. But I didn’t know about the formal things, the questions they (the managers) might ask, how to put myself forward. I wanted to get a job outside my community to meet more people, not have to feel obligated. Very hard to do.” (Camille).

The following section provides further detail about participants’ perception of the costs of studying and living in New Zealand and how these were funded.

6.4 Section 3: Financial Circumstances

Financial circumstances of students were a significant impact on the choices related to work in the Stage One Survey. More detail was sought on these aspects. An unforeseen high cost of living and loan repayments were the most significant indicators of the need to work, presented in the following section.

6.4.1 Cost of Living

While the Stage One survey had asked students to estimate their cost of living each week, detail was lacking about the individual components. Therefore, respondents were first asked whether the financial requirements for an international student visa were enough to live on. All 11 of those interviewed stated that the required amount was insufficient to live on in Auckland³¹:

“\$25,000 was what I need per year. But to have a good life, nothing fancy. I would say it (expenses) should be \$25,000.” (Feng).

“They (education) agent told me that costs were not too high (in New Zealand). Maybe out of Auckland that is the case, but here it costs a lot. I live quite far from my study so catch a bus. It costs so much and hardly any student discount... Cheap food in some places but too far to travel to get it.” (Emma).

“The amount it costs here is higher than I thought, rent is very expensive. First, I lived in a hostel, then an apartment. I share a room, makes it cheaper. Many of us do that.” (Danh).

³¹ Given that all of those interviewed resided in Auckland, it was anticipated that the cost of living may be higher than other bases. However, given that two-thirds of those studying in NZ will live in Auckland, this is an accurate summary (MBIE, 2015, in Polkinghorne, 2016).

“The boarding is all-inclusive but far away. So, I have to train. And lunch is not included. Also, I find going out here expensive, if you taxi, want to eat somewhere good. So, you need extra money....” (Chao).

“A flat is so expensive! I shared a room, a single bed. But still \$190 just for rent. My friends said I had a good deal.” (Naran).

Also mentioned was the limitation on working hours during term-time:

“It is ok for price here. But the fees, with rent and food adds up very quickly. My work hours don’t pay enough for this. I had to work more hours (than allowed) because I was getting behind with expenses. Maybe 30 hours per week usually.” (Krishna).

“20 hours at minimum wage is not enough for me. I have to get extra hours, ask for work on the weekends to pay all the expenses. It’s not easy being here.” (Kiet).

Those still studying were asked their estimated costs per week, estimating around \$350-\$450 per week, not including loan repayments. Those who were working fulltime reported spending similar, with the three reporting between \$400 and \$480 per week. Comments about low wages and little increase in living standards with the transition from work to study were noticeable. The following section presents more information about educational loans, identified as a primary cause of financial anxiety among Indian international students in the Stage One Survey.

6.4.2 Loans for Study

Four Indians of the five interviewed reported having a loan for their study – the only group. Financial sources included parents and grandparents, while two had student loans from their respective countries. All were required to begin to repay their debt while studying. They spoke of these loans as long-term investment for the future despite high costs:

“It costs a lot but give(s) me opportunities. Opportunities I would never get at home.” (Krishna).

“My parents and grandparents helped me as much as they could afford. But we are not a rich family, so I needed to borrow. I looked for a job in my town and then the nearby city forever a year after my degree (undergraduate). But so many people were looking, and I didn’t know anybody to help me. Not very many interviews, the only jobs were not professional ones, not for having a degree. Looking for overseas work it seemed better to study and then work- more choices for me.” (Aarav).

However, the high cost of these loans was a source of worry also:

“I took an educational loan, only 11 per cent. It was cheaper than the credit card rate here (in New Zealand).” (Sunita).

“My family has no house, nothing for loan security. The bank then charged a much higher rate. My parents have worked very hard to help me, but they can’t pay for me to go overseas - we have no car, a small place to live, my grandmother is sick and needs medical care. The only way to study was to have a loan, to hope to pay it back later. So, I work while studying and then I need to get something much better to pay off (the loan).” (Krishna).

The next section focuses on the working experiences of international students while studying and after transferring to a Post-Study Work Visa.

6.5 Section 4: Working in New Zealand

This section was especially important in gaining greater detail of international student work experiences unable to be captured in a survey format. As work is the key topic investigated in this thesis, many areas of working life were discussed, and conversation uncovered a variety of findings. All respondents had had paid work prior to living in New Zealand, with jobs varying from professional to unqualified work. However, most spoke of the difficulty of finding any work at all. Of those still studying, five reported that their motivation to work was financial, while three wanted to gain New Zealand work experience (for the potential to stay in New Zealand post study). The four on post-study work visas said that they wished to gain permanent residency. Sources of employment for international student are discussed on the next page.

6.5.1 Employment Sources

Of those still studying, the primary source of employment was through friends or classmates; while those who had transferred to a Post-Study Work Visa had gained employment either from their ethnic communities or job advertisements. One had a job at their educational institute:

“I did well in my course, so they asked me to do tutoring. It was for the other Indians (laughs). No white people in my class so we spoke Hindi. I explained things they didn’t understand in class but also talked to the students, offered support. Many were looking for work but couldn’t get jobs as their English was not good enough. I felt lucky to get this job then. Hard work and not good pay but an opportunity.” (Krishna).

“It was through my friend, a girl in my class that I got this job. She said they were a friend of her family, needed someone. She went with me and introduced them (to me). We had tea, a snack and they hired me. I started the next day.” (Sai).

“I didn’t need too many hours; my parents say to study. But I wanted to get experience. My friend got me a shop (assistant) job. I was not used to the work, serving people. At home, I would not do this sort of work.” (Sunita).

6.5.2 Ease of Finding Work

Evident was that for those trying to find their first position in New Zealand, previous experience had little advantage. All reported a lack of understanding of how best to find work locally, with some venting their frustration at having to rely on their ethnic community to gain menial work roles. A potential element of racism was also mentioned by some in terms of difficulty getting work:

“I sent my CV to many places but didn’t response (sic). I used my English name (Cindy) and some replied but the jobs were not good ones.” (Prishna).

Chao had experience working in a large organisation in Beijing doing accounts. He claimed that although the systems he used were more advanced than New Zealand’s and his written English was good multiple applications to small and large accounting firms were not responded to. He also applied for general office administration roles, finally getting a position in a computer repair firm. While he appreciated having work, he felt frustrated at its low level and pay:

I had a good job back home in China, earning well. But I hoped for, wanted for more. My experience meant nothing here though.” (Chao).

Others also mentioned the need for prior New Zealand work experience:

“Everybody told me when they rejected me that I needed local work. I tried make offers, to say to firms me that I would work for them for free for experience. But most didn’t reply, no offers.” (Feng).

“How do you get the New Zealand knowledge when people won’t give you a chance? I hoped to do a professional work (sic), work that means something, good work. But my work is hard, long hours, people look through me... I am not visible.” (Prishna).

6.5.3 Length of New Zealand Employment

Those interviewed had been working in their current job from nine months to two and a half years. While one respondent had worked in five jobs over a four-year period, all others had worked in only one or two jobs since arriving in New Zealand - whether still studying or working fulltime. Evident was a lack of movement between jobs, the reason being that the initial job search had often been so difficult:

“Once I finally got a job, I needed to hold on to it! I needed the money... So, I got on with working, just tried to keep the job... The work, it wasn’t what I was used to. But the earning (was) good. It took four months to get the job, so I stayed.” (Naran).

“It took me a long time, visiting places with my CV. I heard some students at my college say that there were some jobs through agencies, but when I visited, they said I needed to get New Zealand experience first. When I asked how, they said to come back after.” (Sai).

Sai also spoke of her desire to change jobs after nine months working as a hotel cleaner but found a lack of any options outside cleaning for her. Although she was gaining good grades at university all attempts to move into a professional work role (“some cleaner work” she called it) had failed. Her confidence and motivation had decreased, and she was becoming increasingly worried that this type of work would be her only option in the future.

Once work was found among the group, the job types and business sizes were varied but the service sector overwhelmingly dominated. The following section summarises the job characteristics of the international students interviewed.

6.5.4 Job Characteristics

Industry representation of those employed was varied but primarily focussed in the service sector. However, job types were concentrated in sales (three), four in personal services, two clerical and administrative workers, one professional, and one labourer (see Table 5.2. below).

At the time of interviewing, six worked in businesses of 1-5 employees, two with 6-9 employees and three with 100 or more employees.

Table 6.2. Industry Representation of Respondents

Industry (ANZSIC06 Division)	Interviewees frequency (n)
A. Agriculture, Forestry and Fishing	1
G. Retail trade	3
H Accommodation and Food Services	2
K Financial and Insurance Services	1
N Administrative and Support Services	2
P Education and Training	1
S Other Services	1
Total	11

For all five Indians still studying, their managers were all the same ethnic origin as them. This was seen to be the norm:

“Our community (Indian), we like to employ our own people if we can. But in different castes, often high caste employs hire lower caste - you know, to be in charge. So, it’s just like being in India again. We (Indians) often talk about how it’s the same, you think you can break away, but it doesn’t work very well. Some people have power, money.” (Aarav).

The exception was Emma, who was Dutch and had gained a receptionist job:

“New Zealand employers said they were happy to have me, said all the applicants were migrants. I am too though; I think they meant white. They work is good, pays well, everyone is European - all the same. There are no Asians, no Chinese or Indians in my office.”

The story was the same for those who had transferred to a Post-Study Work Visa, where three of four worked for an owner/manager of the same ethnicity. The one exemption was Alvin, who had an Employer-Assisted Visa. He spoke of the relief of no longer being tied to his ethnic community for work:

“It was hard before, hard working through my degree. I needed the work, but it was as if... as if I should be grateful (for the work). They (previous employers) got me to do a lot of work. Like pay and spreadsheets. But my work was only for a shop assistant, not for that. They got more from me.” (Alvin).

The next section focuses more on the everyday working lives of the international students, concentrating on their employment terms and conditions, including employment contracts, pay rates, fairness and equity, and qualifications and work relevance.

6.5.5 Employment Terms and Conditions

Once in work, the difficulty of finding jobs formed a backdrop to terms and conditions that were accepted by the international students. Most reported working over the legislated hours at least some of the time, primarily to offset higher than anticipated living costs. Some students reported being uncomfortable with the terms and conditions they were offered but didn't feel they could query them, and what was "on paper" did not necessarily reflect the reality of their employment conditions.

6.5.5.1 Employment Contracts

All spoke of having been given an employment contract of some form for their work while studying. Nonetheless, investigation found that some had pieces of paper with hours or rates only. Three reported that they had not had holiday pay given, and one was refused sick leave:

"I knew that I couldn't work over 20 hours... I knew... that I wasn't allowed (the extra hours). But I needed some money. And I applied for so many jobs. No reply from most. So, I took the work with more hours." (Aarav).

Prishna spoke of being hired as a waitress and being assured her role was front of house only. Quickly though, she found that she was required to clean and wash dishes most of the time. When asked whether she queried this, her response was that she did not have the confidence to do so and didn't know her manager well enough to approach him. She eventually moved to another Indian restaurant with marginally better conditions - the same pay but waitressing only.

While most respondents were realistic in terms of needing to gain experience, some felt their non-resident status was used to reduce their terms and conditions or as a bargaining chip to undermine legal minima:

"Because I was an international student, they (the employers) saw me being needy (sic), they knew I wanted a job more. They told me how hard it was for migrants; how lucky I was to get the interview- kept saying I had to show them I was good candidate for a job. They tried to get me to do some free work, told me I was too slow, needed more experience. My friend told me this is not the New Zealand way, no free work. I say no more to them and they told me I have a bad attitude, so that job was gone. I got another one (job), no free work, but hard." (Prishna).

"I had no experience, they said I need New Zealand experience. I worked for free for two weeks, 40 hours. Then he says I can go on roster but (will) get more hours if rate is lower." (Chao).

“There were four of us (for the job). He says that which one of us need the job the most? I didn’t understand... until he said who would give less (hourly rate).” (Aarav).

However, others reported that the work was not necessarily exploitative, simply dull:

“It’s just boring, waiting in a shop. Not many people come in and hours are long. I spend time on phone mostly.” (Danh).

“Maybe the New Zealand students, they have the same (job types). Do you get good when in study (sic)? But no opportunities, can’t find a better one.” (Naran).

6.5.5.2 Rates of Pay

Of the 11, seven reported that they were paid at or above the minimum wage when working while studying, but with provisos in some cases:

“They paid me the minimum (wage). But I often worked hours that they didn’t pay all of them. And they always told me how lucky I was to be paid legally.” (Kiet).

“I got 20 hours paid in taxable income, but often they wanted me to work longer, after my shift had finished or someone was sick. Those hours he (store owner) would not pay. If you asked, he would say they were not on the roster, not the official roster. Or someone give some cash to you, make up the difference.” (Danh).

For some though, this meant ongoing financial concerns. Krishna worked legally during graduate diploma study, tutoring at university. He stated however, that he often had students coming to see him at times outside his paid hours, and the paid hours were insufficient to do the jobs in terms of marking, teaching, and student communication. This finding was consistent with a cohort in the Stage One Survey:

“The pay was legal wage and I worked 20 hours only. I was worried that I would get caught otherwise. But it wasn’t easy. I had a loan and costs were way higher than they (the immigration agents) said. Most weeks I had nothing left over.” (Krishna).

While all of those interviewed reported being aware of the minimum wage, some accepted less due to potential opportunities they hoped the jobs would provide. Four international students reported being paid below minimum wage:

“It was \$10, easy work. Just cleaning. He (the manager) says that no tax makes price (wage) the same.” (Sai).

“So many people they say, what money would I accept? They told me that many would take less so I did (accept less). \$9 is ok, better than a lot of other (international students).” (Danh).

The respondents that were paid at or above minimum wage (n= 7) were then asked whether they felt their pay rates were fair for the work they were doing. This is discussed below.

6.5.5.3 Pay and Employment Fairness

When asked whether they were paid fairly, five out of seven paid legal rates felt their pay was unfair:

“The pay was minimum wage, but the hours always varied, like I just didn’t know what I would earn. I asked them (the managers) if they could give me regular hours but they wouldn’t. So, I stopped asking and took what I got. It was a problem at exam time and when I had assignments.” (Aarav).

This included all those with Post Study Work Visas (n= 4), where two felt their pay was fair. However, both were working in office environments - one as an office worker and one as an accountant:

“It is transparent, the pay. I am happy enough.” (Alvin).

Nonetheless, an emerging theme was of all this group of international students feeling discriminated against relative to the host population in terms of finding work and then the terms and conditions they worked under.

Three of the four on a Post Study Work Visa Open felt that their visa category was a disincentive to be employed or to be employed under worse conditions:

“I found my colleague was earning a lot more than me. I asked why, and they said I was lucky they gave me an opportunity.” (Camille).

Others expressed similar sentiments:

“They (employers) said I would not be staying long enough, that for them to invest in me I would need a longer visa term.” (Prisha).

“The hassle of sponsoring a visa, they said (I) was not worth it for them.” (Sunita).

There was disappointment from most about the lack of congruence between their achieved qualifications and the reality of their working experiences, discussed in the following section.

6.5.6 Qualifications and Work Relevance

All respondents were unanimous in the unclear link between their qualifications and work they had found, except for two: a hotel cleaner and restaurant dishwasher. Both had found work through their educational institutes - first as “work experience” of an unpaid nature. This formed part of the practical hours needed for achievement of their qualification:

“The PTE got me the job, they found me it quickly. I am studying travel and tourism so useful to be in a hotel. Though I had hoped for a job, maybe front desk. Or an office.” (Sai).

The four on Post Study Work Visas spoke of the jobs being better than when they were studying but still not necessarily desirable:

“It’s office administration, answering the phone. I did a degree - for this! I hope the job is a first opportunity that I will get better for the next job.” (Feng).

“The work is worse than what I did in Thailand, basic. My family would be embarrassed that I do this sort of work, for my status. In my country, our class does professional jobs. I have the professional qualifications, but job isn’t.” (Naran).

6.5.7 Work Enjoyment and KSAs Gained

Consistent with the Stage One Survey, all respondents were asked whether they liked their jobs- a yes or no rather than conditional on other factors. Of the four out of 11 who did, two had professional roles and were post study. Only two people working while studying liked their job - a shop assistant, and a nanny. They felt the level of autonomy and appreciation was relatively high:

“It’s pretty good here. I mean the owners are kind, they pay me ok. And they give me extra holidays, plus staff discount. And I work on my own so lots of trust, responsibility.” (Sunita).

“My employer... is not the best. But I am working alone, look after the children. And I love them, they make me happy. I get told to make dinner, run washing but I also have time to take them to the park, to swimming. The job is good because of the children, not the lady who I work for. So many times, she has told me off, made me feel bad.... Why? Not doing things properly- her way. But when I see the children, I love them, they love me.” (Kiet).

Her experience contrasted with many other workers who complained of micro-management or lack of any support:

“She (the owner) would watch me all the time, like waiting for me to make mistakes. She let me know when I am wrong.” (Camille).

“The manager is mean - all of us (the staff) say so. He never talks to us, tells us what we are doing wrong, is slow to pay us. And he tells us over and over again how other people could get our jobs, want our jobs... That we are lucky.” (Sunita).

“Just frustrating not knowing the expectations.” (Feng).

Although eight respondents of the 11 reported that they had friends in their workplace, only two said that their supervisor or manager was kind:

“The manager complains a lot. That we don’t work faster, make too much noise. I have worked here for nearly a year and he doesn’t know my name.” (Sai).

When asked what skills the sample felt they had gained working while studying, most respondents hesitated. Mentioned most frequently was gaining New Zealand work experience, improving language ability, and gaining confidence. Yet, some stated that they had felt that they were not safe in their workplaces, as discussed in the following section.

6.6 Section 6: Health and Safety in the Workplace

It was felt by the researcher that to understand the health and safety of international students, their understanding of employment and OHS regulation must be explored, consistent with the Stages One and Two Survey.

6.6.1 Understanding of Employment Legislation

While all interviewed in this section had a written employment contract and were aware of their student visa terms and conditions, particularly around working hour limitations, only two said they felt confident in their understanding of New Zealand employment law (both on Post Study Work Visas). All 11 professed minimal understanding of employment law when gaining their first job:

“There was no training. I didn’t know anything. I looked online to find out information (about legislation). But nothing at work.” (Krishna).

“The owner told me how many hours to work and what day. When I said about my visa (hour limitations) he asked me if I wanted the job or not. So, I said ok. He paid me in cash, the right hours for my work but I knew it was not right (breaching the visa). I didn’t get holiday pay and took no sick leave. When I got a different job, they told me about the holiday pay. But I’d left, so I couldn’t claim I didn’t think.” (Camille).

“(Laughs) I was ripped off big time, so green. I was just happy I had finally found something. Took what they gave me and did extra hours whenever they

offered. I never thought about that this could mean I could be deported. But then I started hearing things in the (Indian) community. About people getting in trouble, so I tried to cut my hours, but the employer said no.” (Aarav).

6.6.2 Working Conditions

Of concern was the exposure to hazards of those working in the hospitality and tourism sectors. Naran was employed as a dishwasher but often had to help with food preparation and basic cooking:

“They told us about the cooking temperatures. But not about any protection. I had to buy my own apron and shoes. And then I moved to being a cook and had to buy trousers and a shirt. They were expensive and deducted from my wages.”

Sai was a hotel cleaner, who spoke of pressure to have rooms clean in increasingly shortened time periods with decreased staffing levels. She also reported harassment from customers and her manager:

“I never felt that safe... Not really... The customers, the manager. I would be cleaning and he (the manager) would come in, watch me. Sometimes the customers too, the men. Make comments about me being bent over, woman in her place how you say? [sic].”

Prisha worked at an Indian restaurant, and reported similar treatment:

“Drunk men would tell me I was pretty, touch me when I leaned over to clear (plates). My manager, he said ‘Be nice to the customers, don’t ‘complain.’ You just try to ignore, do your job. I needed the job, the money.”

For those post study who had transitioned into supposedly better work conditions, more knowledge about appropriate conditions did not necessarily manifest into feeling any safer in their working lives. While only one respondent reported an injury of burns, others mentioned working hours, fatigue, and generally poor employment conditions having an impact:

“It was hot and dirty all the time, no space. And nowhere to have a break. We asked our supervisor if he could do anything, he seemed ok. He said he had sympathy, but the job was like that, nothing he could do. We sat in the stairs at the back to eat dinner, standing up. But it was a free dinner.” (Aarav).

“Shift work I had never done before, and it was hard for me. Sometimes split shifts, many late nights. They told me I had to do the conditions they said.” (Sai).

Kiet often felt lonely in her work as a nanny:

“It is only me; I am alone (with the children). I talk to them, but I have no one else. No workmates, no others. And the lady (boss) is so rude, tells me off a lot.”

All spoke of feeling like they were unable to query workplace conditions and would be unlikely to mention unsafe conditions to either their managers or co-workers. When asked if unions could be a potential partner in health and safety concerns, there was general confusion about the union role - discussed in the following section.

6.7 Union Representation and Employment Progression

While none of the 11 interviewed belonged to a union, only three reported union representation in their workplace. When asked whether they had been approached about membership, the three said yes but seemed confused about the benefits of joining. One mentioned that they would “get the same conditions anyway” while the other two did not seem interested. Unions were also discussed more generally among all those interviewed in terms of potential improvement in conditions, fairness, and equity. Although there was some interest in the union’s role in New Zealand employment conditions, most demurred when asked if they would welcome intervention in their workplaces. Some potential for a union role was mentioned in discussion of transparency of progression and pay increases within the context of frustration over a lack of job progression. This was consistent at both working while studying and post-study stages:

“Maybe I would know then (on a collective contract) how others are paid... and when I would get a pay review....” (Camille).

“Cleaning the dishes is fast so no time to think. But I have been here a long time, nearly two years. And I am in same job still.” (Naran).

None of the sample had performance-based pay increases in any position, and some had experienced delays in minimum wage pay increases:

“Another worker told me that minimum wage had gone up. So, I asked my boss. He changed my pay, but only after one month. Did I get the difference paid? (laughs). No way.” (Alvin).

However, all adopted a pragmatic attitude to poor employment conditions they may have experienced, saying that they needed to build an employment history in New Zealand if they wished to stay. The final section focuses on these future intentions in more detail.

6.8 Future Intentions

All of those interviewed intended to stay in New Zealand bar one. Strongly stated by most was that education was viewed as the easiest way to gain longer-term entry and then transition on to a working visa, and longer term permanent residency or citizenship.

Consequently, the primary goal for international students in New Zealand was not education but to stay:

“To stay here is my goal. I want to get a good job and have invested a lot to be here. I hope I can live here.” (Aarav).

“It is hard living here, and expensive. But I made a choice, a choice to stay here. And I am trying to do that.” (Chao).

For some Chinese, there was the thought of providing for their parents in the future as they were only children:

“I came here to live here for good. I wish to bring my family one day.” (Feng).

6.8.1 Is NZ a Good Deal?

When asked this question, a majority paused before answering. Some sought to clarify what a *good deal* was, while others immediately made their own definition. There was no mention of educational institutions. Mentioned was unfair immigration policy, and expensive immigration advisors giving false information. For some the perception of the system as chaotic with inconsistent rules was strong. However, those who felt they had experienced ‘success’ in terms of getting a decent job were more positive about their overall experience:

“It is better now, so much better. My job is not exciting, but I am earning money, having opportunity. My firm says they may sponsor me if I stay for longer. So, for me, it was worth it.” (Alvin).

Nevertheless, frustration was evident in several cases:

“I am qualified. I got first class Honours. I have six years personnel experience at home. And what I got was a reception job, just above minimum wage. And it isn’t on the (Skills Shortage) list.” (speaking about a previous position) (Prishna).

With the benefit of hindsight, the four who had transferred to a Post-Study Work Visa saw their experiences working as a trade-off – generally poor working conditions in return for employment opportunities and New Zealand experience:

“I needed the work, needed to get some jobs in New Zealand. The work was never what I wished for... But I got through and now I work in an office, it is better work (than before). And I think that I have prospects for good jobs now, in the future.” (Camille).

6.9 Conclusion

The research stage sought to gather more detail about *gaps* identified in the survey as well as emerging themes. Of particular interest was the psychosocial context of work, and job quality-researched in the literature in Chapters Two and Three. It is evident that of this sample (albeit small), only one job could be considered professional work. Moreover, consistent with Stage One Survey, students exhibit difficulties in transitioning from service work into any other sector. While this may be consistent with students more generally, international students face extra difficulty in terms of their temporary migration status, need for work experience and lack of legislative knowledge.

Difficulties with their study and a lack of pastoral care was mentioned, along with criticism of the lack of guidance made available to transition after study. The primary motivation, consistent with the survey, was the desire for permanent residency, and all wished to stay in New Zealand long term. However, there were more mixed views on whether studying in New Zealand was a 'good deal'. Many had experienced financial pressures due to the high cost of living, with most Indians also having educational loans. Wages at or below minimum wage put additional pressure on some workers, who felt their migrant status negatively influenced their ability to find good jobs. Nonetheless, most reported gaining skills and enjoyed their work although overbearing management and a lack of autonomy were common complaints, as were some poor working conditions.

None of those interviewed were union members, and isolation and racism was mentioned. While a 'snapshot' of experiences, these interviews investigated some areas that needed clarification or greater depth, as well as influencing the development of questions for the key stakeholders, discussed in the following chapter.

Chapter Seven: Stage Three Key Stakeholder Interviews

7.1 Introduction

The aim of this third and final research phase was to have key stakeholders with expertise, opinion or comment on the key findings from Stages One and Two as well as to offer a sector-level opinion on international students working, and related subjects. Stakeholder respondents represented organisations such as government agencies, trade unions, and NGOs, either speaking on behalf of their organisations or voicing their personal opinion as a private citizen. Participants were identified primarily through media commentary or contact made with the researcher following publicity about her previous research.

The areas for investigation aimed to determine opinions on the following areas relating to international students, consistent with the two previous research stages.

- studying in New Zealand
- financial circumstances
- working in New Zealand
- remuneration and working conditions
- health and safety in the workplace
- future progression.

In addition, policy imperatives, regulation, monitoring, and enforcement were explored in detail³². Measuring success and the future of the international education sector concluded discussion. This is a combination of opinions through those interviewed with subject expertise and commenting on the Stages 3-5 research findings. While questions at Stage Two interviews indicate crossover of some key themes, this research stage aimed to elucidate expert commentary related to international students and related subject areas as well as providing commentary on the findings at Stages One and Two. Therefore, questions were targeted at individuals with opinion or subject matter expertise (see Appendix M) at this research stage. The semi-structured interview format was used to ‘tease out’ further information and have flexibility of discussion. The semi-structured interviewing format followed the themes identified in previous chapters.

³² While interviews were conducted when the previous National Government was in power, there has been little in terms of regulatory change to indicate the opinions given would be significantly different.

As discussed in Chapter Four, a semi-structured interview format was used to enable discussion to unfold. Following the completion of interview transcription, thematic analysis and coding were used to highlight key words and phrases. Key themes were then identified, the findings grouped in the same topic order as the previous two research chapters. These are discussed in the following sections.

This chapter is divided into two sections. The first part discusses key themes identified in the literature and the previous research stages, with those interviewed commenting on the issues presented. Secondly, the stakeholders were asked to comment on government regulation, monitoring and enforcement mechanisms.

7.2 Research Participants

Informants in this section represented the tripartite of government, union, and business. Representatives from the international education sector and migrant and employment advocacy also were interviewed. Table 6.1. lists these stakeholders. All respondents elucidated their role relating to international students. Those in advocacy roles had usually been approached with concerns while others were in roles related to providing practical help or policy advice³³.

³³ MBIE was approached for interviews with Labour and Immigration Portfolio representatives. They chose instead to provide written answers to questions through the Official Information Act (1984). See Appendix A for a full copy of responses.

Table 7.1. Key Stakeholders

Interviewee and Role	Organisation
May Moncur, Employment Advocate	Employment Dispute Services specialises in employment law, including migrant advocacy. http://www.0800sacked.co.nz/
Paul Mackay, Manager Employment Relations Policy	Business New Zealand is the employer body in New Zealand. Its primary focus is on creating the legislative and regulatory environments that are conducive to good business as well as representing business interests domestically and at the ILO as part of the tripartite. https://www.businessnz.org.nz/
Max Whitehead, employment law specialist	The Whitehead Group is an Auckland-based specialist in employment law. https://www.whiteheadgroup.co.nz/
Craig Smith	Former Department of Labour Chief Advisor, Employment Relations, HASANZ Chair, speaking in a personal capacity.
Ashish Trivedi <i>Chief Executive Officer / Director</i> Paul Chalmers <i>Director and Principal Advisor</i> Priya Kumar <i>Business Relationship Manager</i>	Newton College of Business and Technology is an NZQA Category 1 Private Training Provider of national qualifications. https://www.ncbt.ac.nz/
Honey Rasalan, Manager Migrant Action Trust	Migrant Action Trust helps migrants and refugees settle in New Zealand. http://www.migrantactiontrust.org.nz/
Dennis Maga, General Secretary, First Union. Previously coordinator, UNEMIG migrant union	UNEMIG migrant union is the migrant wing of First Union. http://www.firstunion.org.nz/our-union/union-networks/unemig
Brian Lythe, University of Auckland international student support manager	Involved in pastoral care for 44 years at the University, which has New Zealand's largest international student population. https://www.auckland.ac.nz/en/study/international-students/about-the-international-office0.html
Grant McPherson, Senior leadership team, Education NZ, now CEO.	ENZ is New Zealand's government agency for building international education by promoting New Zealand as a study destination and supporting the delivery of education services offshore. It also administers scholarships to support New Zealanders studying overseas https://enz.govt.nz/
Kris Lal, Policy, Research and Communications Advisor to Hon David Cunliffe, MP.	David Cunliffe was the tertiary education associate spokesman from 2015-2016. His office was involved in a series of parliamentary questions over illegitimate international student educational institutes.

Interviewee and Role	Organisation
Peter*, Immigration NZ officer ³⁴	Immigration NZ looks after New Zealand's immigration rules and laws, including issuing of all visas. https://www.immigration.govt.nz/new-zealand-visas
Alex* Private Training Institute Teacher	Auckland-based PTE
Mark* Journalist	Print journalist

7.3 Studying in New Zealand

7.3.1 Motivations for International Students to Come to New Zealand

Realism and pragmatism were evident among many of the stakeholders when asked what they believed were the motivations for students studying in New Zealand. The principal reasons given were primarily centred on gaining permanent residency or improving family or individual status in their home countries. The opportunity afforded by a one-year work visa post study was anticipated as the beginning of the residency pathway:

I can only speak of the Filipino community... it's always about looking for greener pasture because right now in the Philippines it seems like, if you want to improve the life condition of your family, then someone has to get out of the country, either you become a regular overseas worker or in so cases given the opportunity if you can become a resident of any of these first world countries then you can actually give back to your family. (H. Rasalan).

Their primary concern, well, it's basically how to get residency, how to stay on in New Zealand. I think a lot of them just come here and that is their main objective, so they don't really care how they get there, and a lot of them are, by the time they come to see me, a lot of them are in a very desperate situation... (Mark).

Craig Smith felt there is probably a mixture of students:

There's a purely economic goal for some... There are also probably students who are optimistic about their potential to engage with New Zealand in the longer term, and even with that there's probably lots of categories... there is quite a complex range of economic drivers for students, some are fully funded, I suspect that some may have a more indentured kind of relationship with sponsors and others have sufficient funding to get them over the door which then drives the need for income to support their study. (C. Smith).

³⁴ Those names denoted with a * symbol are aliases. They required anonymity as a condition of being interviewed. They will be referred to by these first names in text.

Brian Lythe spoke of differing motivations depending on the group - opportunity to stay being a major attraction:

They are predominantly Chinese and Indian and whatever, I'll (they) come to study but really, it's a gateway for me to bring my family and all the rest of that and have a better life, that's what it's about. So, if you extrapolate that to the whole student population and say what percentage, I don't know what percentage, but it certainly a significant percentage.

Marketing of New Zealand as a desirable study location was also seen to play a role:

Because we have lovely pretty pictures of marketing, beautiful brochures and sailing boats on the harbour and come to Auckland and look at this magnificent place, and so you go wow, how good is that, and then you come into the reality... The expectation is raised, and the reality is much harder. Then if people like me say you've got to tell it truly, the marketers will say, no, because the numbers will decrease, or the other institution here will beat us for those people, and we're competing, so we don't want to say it like it is. (B. Lythe).

Grant McPherson, CEO of Education NZ supposed multiple different motivations, including learning English, relative affordability, and perceived safety:

They're looking at perhaps New Zealand, Canada or Australia, kind of because they can't afford the North American Ivy League or the UK, that might be their first aspiration but it's out of their price range and so affordability is a reasonably big factor. A really strong factor though that comes through in our research is the fact that New Zealand is small and safe and I think some of those qualities around pastoral care and stuff like that, 'cos often it's not just purely students making the decision, it's their families and parents... the whole package, the whole experience, is something that New Zealand can offer quite strongly. (G. McPherson).

Education quality received little mention in discussion with all respondents, presented in the following section.

7.3.2 Quality of Education and Qualifications

Some respondents saw education as the proverbial 'backdoor entry' into New Zealand for potential migrants:

It's an easy way to enter, easier than the points scheme for job visas. Business you need money (for the investor categories). So, the student visa gives you a chance, a way to enter the country, to look at opportunities. (Peter).

Some of them, maybe they have already obtained their professional qualification that enables them to carry out their job but still I think the goal is to immigrate

to New Zealand, a lot of them. So, the avenue of education is a way to come into the country, a process. They know they have a goal. (M. Moncur).

Many stakeholders also had concerns about the quality of the education international students were undertaking, regardless of study level. This finding was consistent across all interviews, with concerns around education quality and poor skills transfer into the labour market (regardless of qualification level). This concern was particularly apparent for those studying at the PTE level:

If you actually look at, particularly the PTE sector, so you've got international students coming over, yes some of them obviously want to get a degree, stay in New Zealand, but I think the reality is ... you know our education system isn't bad but if your primary goal was education you might not pick New Zealand, particularly the PTE sector. (K. Lal).

I don't think any of them has actually come to me and said that they come here because of the quality of education. The Indian students that I've spoken to, a lot of them actually said that they responded to advertisements in India promoting New Zealand as a place of easy residency, so that's their main objective, not so much quality of education. (Mark).

However, most students in this survey were studying at university or polytechnic and undertaking a graduate diploma. When this was made clear to those being interviewed, comments centred around student expectations versus the usefulness of the qualification as an avenue to stay:

I put it this way, for example, being a Filipino, when I know someone who studied at Harvard University, they are quite proud of that because they bring that kind of education back to their country, okay, that's kind of good... In New Zealand, they're coming here and studying not because they would like to learn from this country, they study here because they would like to work and live permanently, so that is why I call that a backdoor way to get permanent residency. (D. Maga).

7.3.3 Pastoral Care

Those in the education and advocacy fields were asked about the pastoral oversight of educational institutes. For some, the number of students versus the pastoral care provision was cause for concern:

*Technically they have to care about their students because they're studying here, they're part of the responsibility of ***(institute), but sometimes because of the huge workload and time management they don't really have time to follow up with the students who are working too...two people is not enough... For 400 students. (Alex).*

There are three of us, divided by 6300, and up until about seven years ago it was only me and the ratio then was one to 4700 and it was ridiculous. (B. Lythe).

Criticised was the lack of adequate pastoral care in private educational provision, seen as an example of the lack of accountability in the sector:

First, they don't have any student union... Pastoral care, like who enforces it, who goes there and makes sure that they are really being protected. And I think compared to the resources of the Universities for example, say you've got students who are having social issues, so you've got a guidance counsellor at the University. They can access those kinds of supports but if you are in a PTE, they don't have that and there is no government or government funded service out there that they can actually access. (H. Rasalan).

It's not something that the university wants me to do, in some ways they're quite glad that I'm retiring! Because the future is not a?? hands-on pastoral care, the future is do everything off the computer and it's really up to you. But I'm an old style pastoral care, a lot of that comes from being a Catholic and seeing priests and nuns working and it's just me, but when I go it will change. (B. Lythe).

However, at NCBT the pastoral care guidelines were said to be taken seriously:

Ashish: *We have to, that is one thing, I think that it is one that we have avoided over a period of time, having any major welfare disasters, 14, 15 years, there have been problems and we have used them as learnings. That's what NZQA has repeatedly written in our reports that that's one thing that we have got better at doing is understanding and identifying any signals about problems in their work and personal lives.*

I: *What do you think about the PTE sector as a whole, because we know there's the different tiering of the institutions, but it seems some of them are very good, working on a best practice, while some of them, there is very little pastoral care?*

Paul: *I would say on average, compared to the institutes of technology and polytechnics we're significantly better. Because we're small, primarily, like we are unusual because when we wanted Indians to come – we wanted them to come and study, work and settle so you have to have a commitment to the whole process of not just someone coming in to study.*

The CEO of Education NZ Grant McPherson responded to the concerns that were posed to him by acknowledging that pastoral care was probably on a continuum, but responsible providers realised its importance:

It's our role and the role of NZQA which oversees the code to help enable them to do that, and to lift, just as we're working to lift providers' general capability to handle the international sector, and part of that is the pastoral care part where we do see that we've got a bit of a role to help enable providers in that

area and overall, as part of government, to remind them of their responsibilities. Most I think are acutely aware of it because they know that the continued sustainability depends on that quality of the experience. (G. McPherson)

Poor housing quality and multiple students sharing rooms in inner city Auckland due to the high cost of accommodation was mentioned:

Some students were living together. Like, six in a two-bedroom apartment. Mattresses stacked up, slum living really. In Auckland City.” (M. Moncur).

I could take you to a building downtown which is in Auckland, in Anzac Avenue, and I went in on the pretext of inquiring, but I had a good look. There’s no toilet paper in any of the toilets, three levels of it, 18 people on each level, and the person in charge of the building said to me, well, there’s no toilet paper in Bangkok or other places like that, so what do you want it for? And I said, well, these students have got a lovely pretty picture of sailing ships on the harbour, and you’ve got no toilet paper, and he said too bad, not interested. And I said, see that oily kitchen, who cleans that? They said, we don’t clean it, it’s up to them, and I looked through the little tiny kitchen, the ceiling thing had a panel out of it and you looked up and it’s a wooden building with wooden rafters; if it exploded smoke would go everywhere. Some of the rooms in this particular building have no window, they have a little air thing, so if it exploded and smoke went in there through the night, those people in those bedrooms would be asphyxiated. (B. Lythe).

Grant felt that the dominance of Auckland as a study destination was problematic, “*We think already in some parts of the country we’re probably; saturation point sounds a bit dramatic, but we are, the sector is getting a bit stretched in terms of homestay accommodation.*” (G. McPherson).

Apprehension from some stakeholders about poor living standards graduated into discussion of students’ financial circumstances, framing the subsequent sections on international students’ working experiences - the focus of this research.

7.4 Financial Circumstances

With the high cost of study and living in New Zealand, the survey findings showed financial stress among a significant number of students, particularly the Indian cohort. Evidence of funds required to study in New Zealand was known to be falsified in many cases:

The money goes in and out, a single pool goes round and round. It’s just a nonsense. So as long as I (the student) can do that, I’m in the country, whoopee, I’ll work full-time, and I’ll put myself through. (B. Lythe).

You can tell when they (Indian students) have no money, have nothing. Just by the clothes, where they are from. They are the desperate ones, desperate to stay. And you know when they arrived there is no way they had that money (evidence of funds). No way. (Peter).

Dennis and the researcher discussed Indian international students taking out educational loans facilitated by the government and by the banks to study overseas:

In fact, I had a discussion with my colleague here about it because I am puzzled, how come a lot of Indian students are able to afford that kind of \$20,000 tuition fee. These loans will actually put them in debt for a lifetime... (D. Maga).

As per the survey findings, Brian reported that many students found the cost of living in Auckland was much higher than expected:

Students will walk in to me and say, I need accommodation. So, what do you want, what's your budget? Hundred bucks is the most I could pay. And I say, well, you're going to have to forget it 'cos I know every block in the city and I can find you a room for 200 or just under but you've got to think about 200 bucks. No, no, it's got to be less than that. So now the latest thing that's just starting to happen in the last few weeks is multiple persons in the same bed in the same room. (B. Lythe).

7.5 Working in New Zealand

The following section presents discussion about the industry and business characteristics of international students' work as well as opportunities and vulnerabilities within the labour market. In some sections those interviewed are commenting on research findings; others are responding to semi-structured interview questions. Education NZ CEO Grant McPherson was asked whether the opportunity to work 20 hours during semester time and fulltime outside semester made New Zealand an attractive study destination:

Yes, but it's really just hygiene now really, because it puts us on a par with most of our competitors. So, it doesn't give us a particular advantage, but it would certainly be a disadvantage if we didn't have that, so it's a foot in the door.

However, Peter felt that the work conditionality had potential to undermine the primary purpose of the visa category- study:

It's supposed to be about studying here, gaining qualifications. But if you make work a part of the contract (visa), then you open up to people coming for work more (than study). With the work; then the students will always be vulnerable to exploitation.

Ashish Trivedi felt that the limit of 20 hours work per week was appropriate because the purpose of the work permit was to give them industry experience and make them more employable. It also helped in terms of transitioning into more permanent work (and potential residency):

If they use what we tell them in induction, if you use those 20 hours wisely, and slowly, you start making burgers, and then within a year and a half were to you go to a job which is a lot more skilled. Then what will happen after that, when they get one year, if you do that, then that is going to be, so those 20 hours are used to build that, rather than making a lot of money there, but then you make decent money in that one year that is given to you. And in most cases if they are in skilled or semiskilled jobs, they'll get another two years work time, so those three years should be good enough to cover their return on investment and earn some money.

7.5.1 Labour Market Barriers

With survey findings indicating difficulty in finding work during both the study phase and post study, respondents were asked whether there were labour market barriers for international students. Most mentioned was racism:

I'm sure nobody wants to say that but the mere fact that unemployment rates for brown skinned people are way, way up there, for me that's like a reflection and a kind of, who actually gets hired more and we're talking here of residents and citizens already, and then migrants way down the list. (H. Rasalan).

The casual racism which might affect how people treat a whole bunch of international students, they're not from here, not like us so why would we be concerned? (K. Lal).

Paul Mackay felt that publicity around illegitimate international students had negative repercussions for the sector as a whole, “*What you then get is this terrible tarring process which says, you lot are all corrupt, why would I want you. And that simply isn't true.*”

Visa conditionality was also supposed as a barrier to employment, given the restriction on working hours:

“Employers, they want flexibility. To give them more, give them less (hours). So why would you hire an international student? They can only work 20 hours, plus they might visit home for long trips. Not worth the hassle.” (Peter).

Honey Rasalan commented that of the international students having difficulty finding a job, British, Canadian, or American students did not form part of their clientele (nor as respondents in this research). While their data didn't collect gender breakdown, they had

ethnic profiles, and the majority coming to Migrant Trust came from the Philippines, India, and China.

7.5.2 Business and Work Characteristics

Some interviewees commented on the characteristics of the businesses who employ and/or exploit international students:

I would say that maybe business owners just want to make as much as they can and again it's a kind of, I don't know maybe some of them will think that I'm actually helping my (their) own community by giving them a job, they use that to justify it. With the exception of the Masala company, I didn't expect that it was 34 million (dollars). (H. Rasalan).

They want to be big fish - in a small pond (NZ). So, they open shops, restaurants, cleaning, restaurants. You can be pretty successful here with a few underpaid workers. And they know they won't get caught; the chances are no one will ever know. (Peter).

When asked about international student work characteristics, some reported it being mainly unskilled work:

It's mainly menial stuff just to survive, so if you live in the centre of the city, you'll do something like go to Countdown at the bottom of town and you'll say, at night-time you'll replenish the shelves... and if you're lucky enough to get a job, fantastic, you can work from 11 at night till four in the morning. Or you could go to the library at the university and say, you have library workers who put books back on the shelves at night time and on Saturday and Sunday, can I be one of those. (B. Lythe).

When they come to me (with employment relations concerns), none are in good work. Even with the university qualifications and professional experiences, the most they can do, hope for is for a shop job, maybe some office work if they know someone. Or some tutoring – I know some students that are better than their English language teachers, they help the other students. So, the work is not good, little progression (H. Rasalan).

Honey saw the areas students were working in as being separated from the primary labour market and the jobs as migrant work:

I suppose it's both because again in some cases some of the work may not be, could not work around the regular European. Some of the work say agricultural work for example, you have to work the whole day under the sun, things like that, those are labour work. Cleaners, for example, you have to work at night... so in some cases the migrants are overrepresented in some parts of the sector simply because it is either the time or the kind of work that is involved and as you know any migrant is willing to start, they will go the extra mile to do it. So

again, it's the same thing, like no questions asked, I'll just do my job, I'll do it well, work hard. (H. Rasalan).

This perceived demarcation of work was seen one of myriad potential vulnerabilities for international students in the labour market, discussed in further detail below.

7.6 International Student Vulnerability

Respondents were asked whether they believed international students were vulnerable in the labour market, and, if so, the reasons why. One reason given was financial vulnerability and a lack of access to social welfare provision:

Alex: *Actually, the whole life is very hard for international students because first of all they don't have the benefit of having a domestic student's life in Auckland or in New Zealand in general. First of all, all the international students have to pay full prices for in the universities.*

I: *But would the assumption be that if they can afford to pay, they're obviously reasonably wealthy?*

Of course, that's one of the points. On the other side, of course, everyone prefers to pay less for studying, they can't get benefits, they don't have any student allowances or student loans, they cannot have any of those. Actually, my students, some of them were from China, from the Philippines, that after a couple of papers that they failed, so they couldn't afford to pay again so they had to leave the country, so they had to terminate their classes or their course so they could go back and just save up some money and come back again.

However, Priya Kumar countered this assumption:

It is not necessarily because they don't have funds. That again seems to be a bit of a misconception, that the Indian students who come in without funds are the ones getting exploited, these at times could be students who have got funds and the accounts here in NZ, but they still probably get exploited. Maybe for the other reasons like their first job, their first experience in New Zealand, lack of knowledge.

May Moncur felt that nationality had the largest influence on the potential for vulnerability:

I think a lot of Indian students, their English ability is much better than Chinese students, but however most of my Indian clients, in terms of their financial ability, definitely they are not better off than Chinese students, so they are in a more vulnerable position in terms of being exploited by their employers. Because of their vulnerable financial position, they have no choice but to accept worse employment conditions and terms. Like I have Chinese clients subject to

illegal wages, normally it's ranging \$8 to \$12 – for Indian students that treatment is even worse.

Language competence was listed as another factor:

Some of them, yes, from the first day that they arrived in New Zealand they started looking for jobs, but unfortunately since most of them are here to learn English, so their English level is really not that great, so whenever they apply their CVs anywhere they want to work, they don't really get hired because of their low level of English, that's one of the issues. (Alex).

Again, those who had been approached by students at the proverbial 'sharp end' of the labour market had a strong opinion that not only were these students vulnerable, but as young workers they had additional characteristics that made them so:

If you don't have enough life experience it will actually put you in a very precarious situation... For example, if I am a mature migrant for example you would actually think twice or thrice to be exploited in the workplace, you would actually know if you are getting exploited, but for young people, okay, again who may not have experience working, maybe being paid five dollars an hour is just normal. (H. Rasalan).

Internships were mentioned as being a potential avenue by which some students gained the much-desired New Zealand work experience but potentially made them vulnerable. Alex (2017) spoke of internships offered at the educational institute he taught at. There was a wide variety, from hospitality-related to social work:

So, it gives them the opportunity to experience New Zealand and work in New Zealand. But the other side is that they are unpaid and paying to work in New Zealand. An internship is marketed as an opportunity and an experience, but it's free work. (Alex).

Proposed as a fundamental indicator of vulnerability was the wish to stay in New Zealand long term. This desire was seen by several respondents as setting up students in poor work positions as they tried to gain 'NZ experience' or work in their field of study:

If you need to, want to stay, then it's pretty likely you'll accept any job. Maybe some students have contacts, desirable skills. But I think they are in the minority. The job market is difficult, jobs that kids could get like supermarket work, seems to have gone to older workers now. And you need English for so many of the customer service roles. We see these workers as hidden, unmeasured. Out the back doing dishes, cleaning. So, they are difficult to access. (D. Maga).

Indians (are vulnerable) because of their desire to remain here... but their main objective is to bring their families here, whereas for the other markets, like the Chinese or Koreans, the option, it's not their primary goal to come and settle in

New Zealand. A lot of them do want to come here, but they've got the money to be mobile, and go to a third country if New Zealand doesn't want them. (Mark).

However, Craig Smith spoke of the relative recent awareness of international students as potentially vulnerable:

Yes, I think we know now but I don't think that it was widely known or appreciated at the time. There's been an increasing awareness I guess of this through areas like dairy and horticulture, viticulture, which really brought the issues to the surface. I think prior to that, whilst there was awareness at a national level or a literature level, there were vulnerabilities here; I don't think it had really become a mainstream part of people's thinking... (C. Smith).

7.6.1 Workplace Exploitation

Respondents were asked whether international students were more vulnerable to exploitation than host country nationals and if so why. Craig felt that initially there was limited recognition by government agencies that international students were being exploited:

From a government sector employment relations area, the emergence of workplace exploitation of international students was predominantly an issue of exploitation around basic terms and conditions in workplaces, lack of employment agreements, payments under the table below the minimum wage, that kind of thing that was the initial concern. The starting point, the focus on students wasn't the central piece, it was just that this was an issue in the labour market alongside a whole lot of other issues and in the early stages it didn't have any particular prominence in its own right, it was just another one of a range of issues of workers in New Zealand not getting what they were entitled to get. (C. Smith).

Members of advocacy groups were unequivocal in stating exploitation was common and gave economic reasons:

It's very widespread, it's just that nobody wants to talk about it but if you really have to go through everything, maybe undercover, something like that, it's really happening out there. I think, yeah, unfortunately that's the reality, that's the reality in some sector... Say for example I own a shop, I own say a Filipino restaurant for example, there's a fixed cost on everything and that's actually where the overheads, the overheads would eat a lot of your profit and those are fixed. You cannot say to your landlord I don't have this much, can I pay you 25%, you can't do that because they can sue you, okay, but the thing is how can you run a business that's like almost losing, you have to cut somewhere and often time it's the workers. (H. Rasalan).

Normally it's (the exploitation) about unpaid wages, or their pay, statutory entitlements, and also, they often have experience of working without being paid, like a free trial period. I'm not talking about the 90-day trial period, we're talking about, they provide services, work, for employers, without being paid. The trial period depends, varied, it can be from a couple of days to a couple of months, sometimes even half a year, that's rather extreme. But it's very common. (M. Moncur).

However, some proposed that these jobs were not jobs New Zealanders would do anyway:

Well some of the positions where a lot of migrants are getting exploited, again those are not permanent residence material, these are the PR material, so it means that they either stay there because they are still trying to find a relevant job but it's not because that will give them the permanent residency. It's very seldom that you would find a migrant that is exploited with a position that would give them permanent residency. (H. Rasalan).

Exploitation was also mentioned to be more prevalent among some groups than others. Honey Rasalan reported that The Migrant Action Trust had conducted a survey asking clients about their job search, the results showing that Filipinos had little difficulty finding work compared to the Chinese or Indians. The reason was seen to be public perception, *"It's also about how the general public actually views a certain kind of ethnicity."* Conversation then moved on to who the stakeholders felt were exploiting international students.

7.6.2 Who Exploits International Students?

Those who believed international students were being exploited were asked who they believed was potentially exploiting international students. This response was not predicated on presentation of the survey or interview findings. Nevertheless, the dominant opinion was that ethnic communities exploited their own, with Paul Mackay stating, *"It's a small group but they tar the whole lot, they cause enormous damage to their own people."*

Yes, because they tend to seek employment, or their first employment, within the same ethnic communities, so I think that all comes down to lack of confidence and work experience. It's not just the financial pressure, also the social pressure, peer pressure, so when you live and work in a small community people tend to know each other, there's always a sort of connection and that sometimes will create a barrier, you know, for people to exercise their rights. (M. Whitehead, 2016).

That's the thing you see because if you need help often times you go back to your own community and your own community will actually refer you to a job, okay,

and then of course you feel like, okay, so this person I ask for help and they gave me a job, okay, so I'm so grateful that you give me a job even if it's like three dollars an hour and I have to work 60 hours per week I'm still grateful that you gave me a job. I think that's where a lot of migrants are coming from, that's their mindset. (H. Rasalan).

There is another issue which is more insidious, and that comes from some of the stories that we've seen and heard from the exploitative side of things, are effectively people being exploited by their own people, so the localised communities, different ethnic groups. If they're running a shop or a business, they tend to hire people from their own communities, and the exploitation that we've seen has sometimes the worst (P. Mackay).

Brian Lythe spoke of running a seminar for international students about employment rights, and exploitation was mentioned:

And they (students all laughed, and they (employers) do, all these shops around town, entertainment, books, you know, you name it, anything, coffee, god knows what- we'll give you a job in one of these things for five bucks an hour and that sort of thing and everyone knows it's a rip off. And of course, the most outrageous industry is, you'll straightaway know, is the restaurant industry where Chinese rip off Chinese and Indians rip off Indians.

Also voiced was a concern that a feeling of gratefulness and need for the job overrode the potentially exploitative conditions:

So, the feeling of being exploited is run over by the feeling I have to be grateful because I have a job, compared to okay, because again, if you can actually find work, I can do that for maybe a month to maybe just pay something, but I'll do my best to look for other work. However, if they feel that they can't really compete in the job market then they will end up hanging. (H. Rasalan).

When asked to comment on why the overwhelming majority of students surveyed would not report exploitative working conditions, most often cited was the anecdotal evidence of those reporting exploitative conditions being deported if they had broken their visa conditions:

Well a lot of the Indian students particularly have said to me, we're not stupid, we know we're being paid below minimum wage, but we're getting New Zealand experience, we need the money, and they also have, probably quite rightly so, a real cynicism and lack of trust towards monitoring and enforcement, Department of Labour, MBIE, Immigration, because in their own countries they're corrupt. So, they're not going to report poor treatment because if there are an overstayer they can be deported, and there is plenty of cases where they have been, unfortunately. (B. Lythe).

Ashish Trivedi (2016) felt that, while exploitation did occur, if he asked students a lot of them would not say:

Probably after six months they will say that to the tutor or someone they are closer to or they talk to all the time. Because they will lose out -they need the job –first job. They have sometimes been told that, okay, if you get that experience then you can go to a better job, and then go and get a skilled job. It's that New Zealand experience that they need.

Max Whitehead spoke of seven international students who were exploited by a central Auckland liquor store owner, by being paid extremely low wages and working long hours. This was one of the first cases that garnered widespread media attention and helped influence legislative change. However, the ability to get any settlement was limited:

Oh, I think, you and I (the researcher), we did very well for the students, because you know how well the law has changed since. But the employer, I think he did a runner straight out of the country, eventually, when he realised he was in so much trouble; his daughter was left behind. And the students got nothing.

7.7 The Health and Safety of International Students

While myriad health and safety concerns manifest in the literature regarding migrants and international students (presented in Chapter Three Literature Review), there was little mention of specific health and safety risks by those interviewed, even when prompted by the researcher. Linked to industries being demarcated as migrant work was the worry that risky jobs were being undertaken as international students often had few work options:

So, the opportunities and fair conditions just aren't there. The hotel work right now, more and more is becoming migrant work, horticulture is migrant work. I think that really, it's the dirty, dangerous and difficult jobs are becoming for migrants. (D. Maga).

They may not hurt themselves, but the work quality is likely to be poor. Long hours, limited opportunities, high stress. I see them coming in (to get visas), and they look so tired, defeated. It's (the work) definitely not what they dreamed of. (Peter).

Opportunities under the Health and Safety at Work Act (2015) were seen as offering greater incentives for potential employer compliance. Dennis Maga said that First Union had been heartened that the new Health and Safety Act offered the opportunity to pursue criminal cases against company directors. Max Whitehead spoke of increased focus in the health and safety area:

What will be interesting, because it all comes under the same cloak of MBIE, I suppose, but the Pike River disaster, the health and safety rules, the rumours I hear from good sources, they've loaded up the litigation department to jump all over employers, particularly small employers because they make the mistakes seemingly – will it happen? Now admittedly I think they've picked their game up immensely, even before the new law, on actually prosecutions, so probably the health and safety may do their job, let's hope their culture suddenly goes through the labour inspectorate, because I do not see it.

Brian's primary health and safety concern was that of the increasing presence of multiple students living in shared apartments in Auckland City:

These people are shoving, as you say, eight in the space for three, six in a space for two or one, and the latest stuff from my lady in accommodation is that, I had three lots of that last week, so I know it's rampant now, and building managers, instead of saying you can't do it, they're just turning a blind eye to it. Now, there's a health and safety issue there. In one sense you could say well if people want to share a bed well who cares, well, on one level it's up to them, but on another level there are issues because every block in the city, the building manager has a responsibility to know who's in that building... if there's a fire and people die, somebody in the end is going to say you were meant to know who's in your building. (B. Lythe).

7.7.1 Union Representation

Low union membership was proposed in discussion by the researcher as potentially affecting treatment of international students:

It's like the union, some are members of unions, some aren't members of union, so the reasons why they got membership was because they want to improve the work conditions. But these workers, need a job because bills are due, and cannot afford not to go to work. (H. Rasalan).

However, a counter-opinion was presented by Paul Mackay, who argued union protectionism had an impact in terms of blocking opportunities for migrant workers:

And the other thing we do really, really badly, and if you hear anybody railing about unions in this country, and we work alongside the union movement, the worst unions to work with in the country? Doctors, engineers, accountants, they are the original unions, and so you come across the neurosurgeon from Russia who cannot get registration in this country –

I: *Well, they're protecting their own patch, aren't they?*

Paul: *Exactly. They are the original Crafts and Guilds, that's where, leaving aside the more, and what most people associate with unions these days is the more socialist side of the conversation, the actual beginnings of protecting the knowledge and skills and the concept of apprenticeships and things like that, all*

built from this idea of the master and the servant, whatever else, those things are still alive and well protected by the Constitutions of those sorts of places.

He did however acknowledge that with a decline in membership their role as advocates was a difficult one, “*They’re under-resourced and they don’t have access, and the mobility of member, the of access that they once had, it’s a tough business to be in.*” Extremely low membership among those surveyed reiterated the seeming lack of ability by union organisers to gain access across small workplaces and to ‘invisible’ workers.

7.8 Public Perception and International Student Legitimacy

Publicity about the working conditions of international students has elucidated poor employment situations for many. Given the development of the industry along with employment rights allocation, there has either been a significant growth in exploitation of these students or students are ‘gaming’ the system. Craig Smith recognised this concern, proposing that some students may not necessarily be legitimate international students:

And as well as those mainstream categories there are some fringe categories, you’ll know better than I have fringe-y they are, that are just exploiting the system in some kind of way, either for criminal purposes or for a door to economic migration.

While actions have occurred other than visa cancellations by Immigration NZ, some of those interviewed proposed that they believe some had used the recent negative publicity as an avenue for to settle in New Zealand:

Well, this was from one of the students who came to me asking me to help with his case. He’s run out of options, he’s working in a petrol station but he’s, that’s not deemed as a manager position and he’s losing his visa, and he was telling me that he went to this education advisor who told him that the best pathway now for him is to just gather evidence of exploitation or just make it up, that he’s being exploited at his workplace, and that is now seen as a pathway... I think the agent gave him the example of the dairy farmers, the Filipino dairy farmers who are gaining amnesty through this exploitation thing, so that is being seen as a pathway now, and he’s not the only one. (Mark).

Some are crying wolf I think. I mean, if you say you are exploited, maybe go to the media... Potentially you might have a better go at staying than if you are working in a nothing job, not linked to your study. Most of them are in that situation, where they won’t be able to stay longer (permanently). So, it’s an investment in the future, to have a decent future. (Peter).

Paul Mackay felt that the significance of the issue of migrant work conditions had increased, not necessarily the prevalence of the issue itself. Reporting that in 2017 the International Labour Conference (the policy setting forum for the ILO), labour migration was the key technical topic on the agenda, over the previous two years there had been separate discussions on the subject of fair recruitment, the principles governing the recruitment and placement of people from one country to another, chaired by Business New Zealand. Further, he did comment that not all students were necessarily legitimate and could potentially be exaggerating exploitation and/or poor working conditions:

And I think we've got to be mindful that it's not all a one-sided story, some of these people are quite deliberately using that profile to get themselves to a different place than the one that they talked about.

Among respondents, some international student cohorts were seen as being more legitimate than others - Chinese and European students were mentioned as being 'genuine', while Indian students were seen by many as having little interest in study other than as an avenue for residency.

7.9 The Impact of International Students Working

Those interviewed were asked whether international students had an impact on the domestic labour market. While there were varying viewpoints, many pointed to the poor working characteristics typical of the research findings, and some proposed a bifurcated labour market. Research findings in this area have been mixed (see Chapter Two), but there is evidence to suppose this work is migrant, not New Zealand, work:

The bad ones at the bottom, they're no longer really New Zealand jobs, they are migrant jobs. I think it's quite distinct kind of jobs that migrants do. If you look at permanent migrants who come here, a lot of them are actually starting their own businesses and the students that come here are doing all the shitty jobs, so I don't think it's having a real impact on stealing kiwi jobs". (Mark).

In terms of, I think the seasonal worker, we just found out that they are actually reliant on international students, depending on what kind of fruits they are going to pick in that season. (D. Maga).

There were also concerns about the potential for international students to drive down wages, given the research findings indicated low and/or illegal wage rates for many:

Yeah, but then seeing some of the comments around that which are, you've got students coming over as migrant workers driving down the labour market, you know, the wages in the labour market, etc, while there is some economic truth

to that I think you've got to be really careful about where you aim your arrows. (K. Lal).

You look at New Zealand, we're a pretty low wage economy. With a large migrant population and a lot of those jobs are poor quality jobs, it's that is concerning for us (the union), mitigating wage demands because we have a whole secondary labour market of illegal work, which a lot of countries do, but a lot of low wage work as well. (D. Maga).

Uncontrolled migration definitely will affect the country's economy. I just make this observation based on the cases I deal with, because I have some Kiwi clients, they're tradesmen, they're truck drivers, they're carpenters, construction workers, and their wages have not been increased for some time, four years. Why? Because the employers, they can hire cheaper labour elsewhere, why should they pay more? (M. Moncur).

7.10 Future Progression

7.10.1 Transitioning to Work or Permanent Residency

Respondents were asked to reflect on the research findings that, although many international students intended to stay in New Zealand post study, the actual numbers achieving this were relatively low:

I think the number has always been quite consistent if you look at the trend, there has always been between 19 and 23% - I think that would start to change, because throughout history of international education we've gone for markets that are generally students who have no intention, or have lesser intention to stay here, that is not their primary objective, whereas now it's changing, so the Indian and the Filipino market would actually skew that figure, and a lot of them, those are the 19% that are able to stay. But I think if you include people with the intention of staying, that number will be a lot higher. (Mark).

Signposted was concerned that many students completed their study but worked in positions that didn't link to their qualifications - giving them little possibility of staying long term. In contrast, the senior management team at NCBT had a high success level:

I: *So, the people come here, they study, they finish their qualification, whichever it is, how many of them transfer onto the jobseekers' visa? How many of them realistically?*

Ashish: *That would be very close to hundred percent if not a hundred percent.*

I: *And I know you said that the courses are being designed, Paul, around...*

Paul: *Reverse design.*

I: *That's right, that they've got, ensuring that they have the qualification and the means to be able to get those, so you've really got very few people who come here, say thanks for the course, I'm back off home.*

Ashish: *Very few.*

I: *And they want to stay here for good?*

Ashish: *That depends. See, they would always, and this is what we always tell them, that if you, first target is stay here, study the course for one year or two years, do one year, get to a good job. If you get to a good job, why not get some experience and money out of that, and once you have done that, by that, they spend 4 – 5 years in the country, and they really like it here, they have their social group here. And most of them, even though they had original plan of going back, they will go, oh, shall I stay a couple of more years maybe, and then we say, why don't you get your permanent residence sorted because now you are eligible for it.*

Paul: *May as well.*

Ashish: *And if you, then they said, oh, then I'll stay at least a couple more years because then that allows me to have indefinite permanent residence; and its seven years and probably got married in the meantime and they hardly moved back.*

However, the Immigration NZ officer and pastoral care provider felt that in general, the jobs worked in were of poor quality and had little 'value-add' for New Zealand:

Very few of those applying to stay are working in professional jobs. Retail is the main one (they work in), main one that they try to say is essential. That's where you get all these students saying they are managers, managers of what? They are not working in a specialised job, not doing jobs New Zealanders can't do. None of that. I can understand their motivation to stay here, but the visa categories are a joke really. (Peter).

In terms of them transferring onto jobs, because you know, there's plenty of students who have said to me, I've got a job of some kind and most of the time they're paid minimum wage, but they're not in their field and they are finding it very, very difficult, even with good marks, etc, and we know all the things about names and racism, etc. but that conversion rate and the numbers who are able to stay... (B. Lythe).

Conversation with Brian Lythe then moved to the occurrence of international students buying 'job letters', letters falsifying the nature of their employment to satisfy immigration requirements:

Brian: *Well, *** (Immigration NZ officer) on to that... he said to the students, look, I know the tricks, we've been around a long time, but if you put in an expression of interest and then you follow that up, d don't bullshit us about your*

qualification from somewhere which is untrue, because we'll check it out... if you serve us up with a letter from somebody saying oh look, I'll employ you, we actually go and check it up, like we'll ring them up, go and visit, and say, where's the job...

I: *But also, you think the other side of it though, is someone's invested a lot of money in their degree, living here, etc, another 10, 15 (thousand) for a job letter, it's really just an investment to stay isn't it?*

Brian: *Exactly right... So, I had this wonderful taxi ride twice a day and all the drivers are Punjabi Indian fellows. But they said to me, in India you get qualification, you actually have to buy your job, they said it costs you something like \$20,000 to buy a job and then when you've paid the money and you've got a job then you start going. So, it's of no strangeness to them, that's how you survive. You say that's morally reprehensible here, or whatever, they say that's how you live, otherwise you're going to die.*

7.11 Regulation and Enforcement

Regulation and enforcement was considered important to investigate, given changing policy and increasing concern about international students being vulnerable in the workplace. The representation of government and civil society groups enabled concerns to be raised and responded to, as well as looking at potential ways to mitigate or eliminate poor worker treatment.

7.11.1 Government Agencies and Policy Imperatives

The primary focus of successive governments over nearly 20 years has been to grow the international education market (see Chapter 2). This has meant that enabling legislation has responded to the desire for increasing numbers of students to study in New Zealand. However, contradictory and confusing interconnections between the international education industry, labour market, and immigration policies had some interview respondents commenting on how economic imperatives appeared to take priority over protective elements. The following section summarises the imperatives and critiques of New Zealand immigration and employment relations policy, along with policy suggestions for the sector.

Grant McPherson (2017) was asked about the connections between the 'key players' in international education, reporting some formal mechanisms such as the international education senior officials' group (SOG), a group of chief executives and their key officials from all the agencies involved in international education. Instigated by the Minister in 2013/2014 to address the need for agencies to work together, share data and

best practice, and support overarching New Zealand aspirations around international education, the group comprising of Education NZ, Ministry of Education, New Zealand Qualifications Authority, Immigration NZ, MBIE, and Ministry of Foreign Affairs and Trade representatives. He said the collaboration, while working well, had its challenges due to differing priorities. Accepted was Education NZ's role in lobbying but lack of regulatory powers:

... you know, Immigration has its agenda and its stuff that it's got to do, NZQA has its agenda and things, it's our role I guess to try and ensure that we're all keeping the student perspective and the New Zealand perspective to those discussions... collaboration across agencies always has its challenges, because people have different priorities I suppose... one of our roles, we are a small agency kind of in the heart of all of this but with no regulatory powers to enforce anything, we rely on our fellow agencies to do things. So our role really is to be a bit of a broker in the midst of all that, to bring them together, and try to really, I suppose, we try to do a couple of things, one is to have the connections and the information sharing, with the other agencies with a view to having the student at the centre of those discussions and also to bring the discussions up to NZ Inc...

When asked about policy priorities as an agency he spoke of policy alignment with practical outcomes:

Sometimes it's quite simple things, like ensuring that the length of time it takes to apply for and receive a visa, doesn't take too long, that providers are making decisions in a timely way as well, because it's a competitive world and students will often, they might apply for several institutions in several countries and it's kind of whatever comes through first is what, you know, where they will go.

Comments were made regarding the government policy as being primarily a revenue-gathering exercise, evidenced by lax regulation of educational institutes and successive governments' goal to grow the sector:

I think it is just so sad that I know we are looking only at the international students like a milking cow. We're just so focused on the money that they bring in that we fail to investigate the social impact for them, the cultural part, I don't know the English term. That they are a people, they are not like a source of money, but a person that also has feelings, aspirations, has dreams. (H. Rasalan).

What we started out, the bigger organisations were so much focused on domestic students and funding issues, TEC and NZQA – internal funding... that was the main industry and this industry was so much smaller in comparison, and that's why policies every now and then will just kill this industry. So, every three years there will be a policy that comes that just takes you back three years, and then

you start coming back from it. The policy isn't thought out, the implications. (A. Trivedi).

The strategy of Education NZ to increase the value of the export education sector was widely criticised. This was evidenced by changes in immigration policy to make the agencies involved with the international education industry more 'user-friendly':

So then the next year, which would be about seven years ago, Karl Andrews (Immigration NZ) turned up... Somebody in the room put their hand up and said, at the moment all of our student permits are February 28, so we finish our degree in December and we've only got till February 28 to find a job and they said it is not enough time... the whole room just clapped. So, Karl went back to immigration and he said we're on to something here, these people are saying you've got to give us a better time, so what happened is he managed to convince Wellington to give six months, and then later on it was out to a year. (B. Lythe).

The full-time work allowance for students studying at the Masters and PhD level was criticised from an achievement and pastoral care perspective:

I'll come back to what I recommend myself, is that for a PhD and for a Masters research person, you can actually work full-time. Now that was the decision made a year ago, 18 months ago, probably a bit over a year ago, and all of us thought that was crazy, but it was done by Immigration and Education New Zealand for their own interest, whatever, a marketing thing probably, and it's bizarre because what sensible academic or pastoral care person would recommend that you work full-time as well as trying to research your Masters or write a PhD? (B. Lythe).

The strongest critique was of the extension of the international student work rights scheme in 2005. As many students would have insufficient points in terms of work experience or recognised qualifications, the scheme was viewed as a backdoor entrance to Australia and an easier means to stay in New Zealand than the points-based immigration entry system:

What I have seen lately is that there is a huge change, like when I came here way back in 2007 we've got heaps of skilled migrants coming through because of the new points system, but because of the change of policy, so the influx of skilled migrants had really decreased a lot but because they have opened the student pathway to residency so now they have opened this, I call it floodgate of migrants who are wanting to give a try to come to New Zealand to become resident through the student pathway. (H. Rasalan).

Inconsistent application of policy was mentioned where overseas non-regulated agents were mentioned as a prime cause of many of the issues evident in New Zealand in this sector. The decision not to regulate offshore was greeted with some derision:

“What I find remarkable is that we can have an immigration system where advice offered to students with respect to their student visas is not subject to any regulation under the Immigration Advisors Act.” (K. Lal).

There was speculation that if offshore immigration agents were regulated and students were given the ‘real’ information, the growth in international student numbers would halt:

“If you can with immigration advisors you can with immigration agents, but that would mean a significant drop in student numbers and I guess ...” (Mark).

In terms of legislation, Paul Mackay (2017) said Business NZ would argue for “*better regulation rather than more*”. He felt that there was no alignment between international education and skills shortages:

We aren’t standing back and looking at it and saying, we are looking about the New Zealand labour supply... I’m talking about the quality and nature of the skills and ability that we require for the future as well as now and recognising that the future will have a whole lot of stuff that people don’t even know about yet.

This was reiterated by May Moncur, “*I think we have enough legislation – If it can be strictly implemented, enforced, then it will be much better, it’s not a lack of legislation, it’s the enforcement, the lack of enforcement.*” Max Whitehead also felt the current legislation was sufficient:

The legislation is there, at the current level the legislation is sufficient, but it’s the enforcement, it’s how to enforce the legislation, that’s the question, and also the loopholes between company law, commercial law, you know, the overlaps between immigration law, employment law and commercial law, there are loopholes and those loopholes have been deliberately exploited by some employers.

7.11.2 The Role of Monitoring and Enforcement

An unintended consequence of this sectoral growth has been the need for increased monitoring and enforcement of employment regulations and immigration legislation. This has been during a period of relatively static inspectorate numbers and increasing workloads. Further, discussion amongst international student networks has shared the punitive nature of reporting exploitation if the complainant has breached their visa conditions. This has created a disincentive to report. Comments on the lack of inspectorate capacity and its retroactive response were evident:

You know MBIE, the labour inspectors, Immigration inspectors... They're overwhelmed with all this and they can't cope with that, it's like the police with only 10%, solving the problems of burglary. It's the same thing because it's happening just too much that they are inundated, and they can only do this much, and they are not resourced enough. (H. Rasalan).

To be honest I think they (the labour inspectorate) now realise that the problem is bigger than what they thought. They thought that these are simply isolated cases in Auckland but when the labour inspectorate put a lot of effort there, they realised that a lot of what is happening has for many, many years. (D. Maga).

They're in pretty much a very vulnerable position you might say, international students, insofar as the protections that are available at the moment. Taking my professional hat off, in a personal capacity, I'm quite involved with Labour's multicultural sector; I'm the multicultural labour representative on Labour's Policy Council. So, I don't like the concerns the loose system being used as an opportunity by some to somehow victimise the students who are coming over. It's really, you know, with Masala – we saw how poor the ability to respond was. (K. Lal).

I think the other element of it was that at that point the response from government agencies was largely a reactive one, it was driven by areas of concern or complaints and clearly this was not an area where there were necessarily going to be, complaints were not highly visible. So that's kind of the context. (C. Smith).

Two respondents, both working in employment relations advocacy, said they had heard anecdotally that the Labour Inspectorate was actively choosing the types of cases it pursues, within a very narrow remit:

And I don't know if it's been proved but the Department of Labour, MBIE now, they have a very big call centre and their instructions are not to pass anything on to a labour inspector unless it's relating to the minimum wage. That's basically what it is, just the minimum entitlements. (M. Whitehead).

May: *The Department of Labour inspectors are basically saying we can only do minimum standard breaches, that's all we can follow up, we can't do anything more than minimum breaches. Even minimum breaches, they are not able to take all the enquiries, it's just that they don't have enough resources.*

I: *So, in a way you look at some of those cases that have been prosecuted coming through, it's almost like a cherry pick of cases to show to the public?*

May: *"Yeah, it's a showcase."*

However, May also said that between 2011 and 2013 she was approached by many students regarding pay with arrears but from 2015 to 2016 there were few enquiries. She felt that this was due to enforcement publicity and action:

So that's an interesting improvement, you see a lot of media reports about labour inspectors holding employers liable and penalties being imposed. So that kind of a message definitely has reached migrant communities and the fact is that some employers, they have realised there is a consequence, sometimes severe consequences, for those illegal actions. A definite improvement."

Similarly, Brian Lythe (2016) had approached the Labour Inspectorate following students who worked at multiple restaurants owned by the same individual:

The Labour Inspector, she was a nice lady, she said I'll go and visit him and talk to him, and they did and did nothing. I think they bought the bullshit from the owner guy and the students said, look, it's not just me there's all these and I'll tell you what we're being underpaid, and it's not fair and it's wrong and all this sort of thing. As far as I know the Turkish fellow in charge got away with it.

However, Paul Mackay felt that the Labour Inspectorate had got smarter about how they did things more recently. *"Historically they just used to random sample the entire economy, they'd catch somebody and they did not catch somebody, whatever else, but they had no data, they had no profile and they had no depth of analysis."* He said the more recent approach was to saturate a given sector to get valuable information about the profile, the probabilities of risk, and triage it if they're dealing with issues. Still, he acknowledged the limitations of their monitoring approach: *"I think resourcing is a key issue for them."* In contrast, Paul felt that immigration control mechanisms were much more effective, and the model could potentially be used for employment compliance:

If we look at border control in this country, we are now world class in terms of interagency cooperation, we're starting to see snippets of that in this labour space, and we should encourage that growth and we've got the models, like the border control model is a fantastic cooperative model that can be used to adapt in this space.

However, in terms of practical immigration decision-making, the Immigration NZ officer spoke of feeling compromised, with pressure to approve applications:

I am ashamed now, to work for Immigration NZ. we know so many of these applications are false. But, it's all about numbers. We have to meet targets. And an approval is a couple of hours; a decline takes half a day... We see all these students and you know the jobs (for a post study work visa) are fake. I mean, if you ask them, they can't speak English, can't tell you what they do. But

the paperwork is in order, and these are new businesses, growth for New Zealand (laughs). Isn't this what the economy wants? (Peter).

Having argued policy and enforcement concerns, respondents were asked for policy suggestions to mitigate these issues. These suggestions are presented in the following section.

7.11.3 Policy Recommendations

Observations on the current regulations led to discussion of recommendations for legislative reform in the protection of migrant workers, and more specifically international students. With the interconnections and overlap between immigration, education, and work, opinions were varied. Craig Smith felt that the starting point was making more visible the dimensions of the problem:

So, if we have a presenting statement at the beginning which says something like, some international students, whatever number, receive unfair treatment in the New Zealand labour market, it could be as broad as that... but what you're trying to do is invite people into the space of, this is a problem, people to recognise that there's a problem... it's not just straight compliance stuff, it's policy, it's regulatory compliance in employment, it's regulatory compliance in immigration, and getting those people in the room and going okay so this is the nature of the problem, how might we tackle it, how might we bring all of our forces to bear on this as an issue - we're going to put more enforcement around the fringes, we can drive the more illegal stuff out of the market, we're going to regulate quite tightly in the market, and there will be benefits for everybody from this.

Grant McPherson similarly identified issues of the need for greater interaction between regulatory agencies:

Overall, it's a matter of being coordinated and being, trying to be kind of seamless, in the way that we operate... All the various arms of government kind of touch different aspects of that journey, that decision making process, and then the studying process while they're here, and we want to make that as, we want to ensure that that's as smooth and as easy as possible and I think our fellow agencies would agree with that, so we try to work with them on doing that.

Most mentioned was the need for greater regulation and monitoring of those providing education services to international students. This criticism was primarily focussed around the PTE sector:

I think if New Zealand really wants to provide quality education that is on par with world quality or something – first thing they have to cut down is the fly by nights, small PTEs... I think I can count on my fingers and my toes the number

of students coming from Auckland, international students from AUT, that actually comes through my job search... but heaps of those are coming from the PTEs. (H. Rasalan).

What I've been hearing from these PTEs is that they are now introducing different kinds of courses and that's what they've been selling overseas, so NZQA must be involved with that and questions the legitimacy of such courses, for example, before there was a course for business management, now there's a diploma for business management, I don't understand that. (D. Maga).

Paul Mackay felt that policy should recognise that international students were in New Zealand to learn and contribute to the economy, so should be treated exactly the same as every other student in legislation:

Any international student who is coming with the perspective, for the ostensible reason of contributing to New Zealand, should be treated exactly the same, but they're not. And there's got to be some form of separation of those who are here to be educated to go home, but then again there's still potential intrinsic value because are they part, for instance, of a trade deal arrangement within which we can have some mobility and freedom of movement, that is enhanced by that. (P. Mackay).

He also spoke of changes needed with policy and framework settings, to ensure the consistency of treatment for the international students, in terms of matching the immigration models and the skills models:

Take two steps; one is, the framework is applicable to absolutely everybody, and the exploitation element comes from a couple of things, one of which is the inherent willingness of a particular individual to exploit labour, and they should be nailed to the wall and left out to dry. (P. Mackay).

7.11.4 Risks to the International Education Sector

Stakeholders were asked what they believed were the risks to the international education industry. Craig saw a primary concern as being 'rogues' damaging the industry's reputation:

There's a whole range of issues in there. This sort of conversation comes up in lots of sectors around lots of problems, not just about this topic. Quite frequently I hear people say, yeah, we get that we have a bit of skin in the game around this but actually the problem is those people over there. But the reality is that those people over there are damaging the reputation of these people over here, so whilst it might not seem an accountability for most of the tertiary sector – It's a hell of a reputational risk, you know, because if people feel this is not a good destination for international students every player in the market is going to be

affected. We saw exactly that happen in Australia with reputational risk. (C. Smith).

Grant McPherson saw the main issues differently, proposing the reliance on limited markets as being a concern:

I think it is a risk, the fact that a large portion of our market, of our students, are from one or two markets, China and India. And that's a reason why we're trying to diversify because any country can be swayed by sentiment and impressions of safety or quality or whatever, and also particularly a market such as China, where there is, government policy decisions have the potential to quite radically change things quite quickly as New Zealand has seen in the past so that's a risk that we are trying to manage. We are also very aware that New Zealand does promote safety, well, safety is seen as an intrinsic advantage that New Zealand has got, it genuinely does have, and we promote that as part of our brand.

When asked by the researcher whether education quality was also a factor, he did not see this as a major influence:

Quality is another factor that students, that rates pretty highly as far as students coming to New Zealand are concerned, and the qualifications that students receive in New Zealand are highly valued and also again the word-of-mouth that students, alumni, return home talking about is of a quality education and, you know, as part of the overall experience.

Dennis Maga felt that some companies would be concerned about the poor business practices:

...the big companies, the established ones, I think they are very much concerned about this exploitation problems as well because it also killed their business. So, imagine if you are Briscoes, Warehouse and Countdown, and then suddenly you have a lot of \$2 shops, and yet you found out they are not paying the minimum wage...

Negative publicity about international student exploitation was also mentioned as having the potential to affect New Zealand's international education and institutional reputations:

At the end of the day whether or not that's an offshore education agent or a New Zealand immigration lawyer it doesn't actually matter because it reflects badly on New Zealand. If people come to New Zealand and have a bad experience, you know, both our international education profile and frankly just our profile as a nation, good global citizens. (K. Lal).

Well, these days the favourite word is the front page of the Herald type test, and so that incident we had recently where two of the girls were knocked about in Albert Park, and there were some other attacks around. So these days you get an incident like that and it's on the front page in Hong Kong in five minutes, so

that's the reputation risk, because it does actually impact on marketing and who's going to go where and so like when the Christchurch earthquake came on, students' families who had students in Dunedin, but

the families were in China etc, were saying, we're going to pull you out and take you home because they didn't realise that Dunedin and Christchurch were actually quite a bit of a distance apart. (B. Lythe).

Finally, those at NCBT felt that the primary risk to the industry was the government and Education NZ having incomplete policymaking capacity and understanding of risk:

Ashish: *I think government is the largest risk. Their policies are not being*

Paul: *They're extremely erratic and so they create –*

I: *Is that the government currently, successive governments or the last so many years?*

Ashish: *I'll tell you; the largest risk is you meeting Education New Zealand which is the platform which should bring all government departments together and have that communication flow, not being able to give you reasonably good response is probably the largest.*

7.11.5 Measures of Success

At the conclusion of the interview, all respondents were asked how success could potentially be measured for international students. What *success* is was defined by the individual but most focused on transparency of outcomes in matching skills with domestic labour shortages:

If this industry is to be successful it needs major regulation and monitoring changes. If we can all walk around the (Auckland) city and see the poor students being exploited, how can my work (Immigration) not? Every so often they pull off stings and get a few dodgy people but that's not the crux of the industry. This is government supported exploitation for people trying to follow a dream. (Peter).

So basically, you've got two types of student- one is the ones who fill the skills gaps and those should be people who come here with the intention of settling ... So that's the thing, we're targeting the wrong type of students and the wrong types of skills first. There would still be a huge market for students who come here, that's the cash cow market, the language students and the primary and high school students, so again it's like, what's a good outcome? A good outcome is for students who come here for work they are meant to do, to be able to get that in the end. (Mark).

Say for example, getting the students who come to New Zealand and getting their degree here, and if they intend to become a permanent resident, they should take

degrees or courses that New Zealand actually needs, and there should be a way to monitor that... targeted skills without undermining the New Zealanders as well, because we want our young ones to also have a good degree and have a good job but the thing is if there is like a shortage in some areas, like something that cannot be rectified in the next three or four years, then we can use temporary migration for example. But again, that still has to be targeted. (H. Rasalan).

If we followed that question through a particular person, they come in here with little or nothing by way of education, they are educated through our system and they find a role commensurate with the qualifications and experience they've got in this country and they start to contribute, what we see is them coming in through either partly qualified or very qualified, while they spend their time at university they are contributing to the local economy by spending subsistence money and they use it as a vehicle to bring in people who become a further toll on the resources of the country. Contrast those two things, the first is the preferred option, if we did that on an organised basis and in concert with the people coming up through the secondary and tertiary education system in this country, through normal routes, that they should look homogenous, they shouldn't look different. (P. Mackay).

Grant McPherson spoke of market diversification from a sustainability point of view to have a wider spread of the main markets, where a second tier of countries was being marketed to:

We don't though see, well, we still would see China and India, just on pure demographics really, as being large, ongoing parts of New Zealand's International education industry, you know, they've got, even China where demographics are on the down, there's still huge numbers and India, of course, their skill needs and the sorts of projections the Indian government has got for the number of graduates they are wanting to see, they are enormous for the foreseeable future really, and we think New Zealand's got a role to play in that.

7.12 The Future of the Export Education Sector

Given successive government aims to grow the sector, the CEO of Education NZ, Grant McPherson, (2016) was asked what a successful international education sector would look like and how closely the industry currently resembles that. He focused on the industry's economic contribution post recovery from the global financial crisis and the Christchurch earthquakes. He also spoke of targeting students coming to New Zealand for higher qualification levels, longer courses, and more development of pathways for transition between secondary education or English language tuition to tertiary education. He then spoke of the goal to double the international education sector by 2025 - a stated

Government goal under the then-in-power National Government, since extended by the current government:

The short answer is we're not trying to double the size, it's the value of the sector. It's a matter of things like visa settings, but it's also education providers, you know, collaborating together and designing packages that students can sort of pathway through. So, we are keen to promote more of that because it takes us to the more higher value end of the chain.

Craig Smith also felt there were no real problems around the aspiration for New Zealand to grow the industry:

But I think it's like any other industry, let's not get too focused on 'this is unique'. This is from a New Zealand Inc point of view and economic development and so we should be thinking really carefully about how we do it well and from my point of view that means that one of the things we have to do well is to make sure that the conditions we expose people to are the experiences that we would expect for a New Zealanders, or others working in New Zealand, whether they are permanent migrants or not.

However, other stakeholders were less enthusiastic about this government aim:

"Realistically speaking, I don't think they can, they're really struggling with this recent growth, I don't think they are capable, the infrastructure, it's just not ready to double the market" (sic). (Mark).

"I'm actually appalled when I saw that intention. At the current influx of students coming to New Zealand to study, I mean we already have this crisis, and then double that crisis." (H. Rasalan).

Dennis Maga spoke of the seeming lack of any real outcomes of the international education industry as a service sector other than economic returns:

I always look at the growth of your economy and the growth of your country is based on the real economy so if you are ever attracting international students to come to your country, those are not real products.

I: *But that's our fourth largest export sector now so why can't we double it? Why shouldn't we double it?*

Well morally it's totally wrong because you have to ask yourself, why are we doing it. Because a lot of (domestic) students out there they have actually been struggling to pay for their study. Why not focus there because those are your people and then we can develop the skills, especially focus on the areas where there is a dependence on foreign labour...

Paul Mackay also queried the real value of the sector:

And that's a problem (doubling the industry value) ... We (Business NZ) don't have a formal position, but the thing that we are strong on is what we are seeing with international students is that they are not flowing through to adding value to the economy by taking up high paid jobs, except in some areas ... I think it's an artificial industry, it's the cash producer but it's not an economic value producer. It's artificial, it's a thin skin that can easily be popped.

7.13 Conclusion

This chapter has focused on presenting the key opinions of stakeholders concerning international students working and related issues. The themes presented in this chapter are consistent with the presentation of findings in the previous two chapters of surveying and interviewing of international students working while studying in New Zealand.

Stakeholders were asked to discuss on key concerns that had been identified in the course of the previous research stages of a survey and interviews with international students, conversation a combination of reflection on specific research findings as well as opinions on international students':

- studying in New Zealand
- financial circumstances
- working in New Zealand
- remuneration and working conditions
- health and safety in the workplace
- future progression.

Focus on policy imperatives, regulation, monitoring, and enforcement formed the second part of the discussion. Measuring success and the future of the international education sector concluded the interview findings. With the key findings elucidated in this final research phase, the following chapter moves into discussion.

Chapter Eight: Discussion

They come here thinking study is the key - then end up being exploited by below standard education by unscrupulous private tertiary institutions.

They come here for jobs promised by agents to find they've spent a fortune on dodgy visas and then they're exploited by dodgy employers and then when they get up the guts to go to Immigration NZ they're treated like criminals and deported.

They come here expecting to get a job in their field because they are told we have shortages - then they find their qualifications are not accepted by our employers or professional bodies, then end up doing completely different jobs.

(Anonymous quote from International Student Forum, 2016).

8.1 Introduction

As previously stated, the purpose of this exploratory study was to gain an understanding of the working experiences of international students in New Zealand. The research questions proposed for this study were formulated to address this aim:

- RQ1. What are the prevailing political, social, and economic factors that influence how international student workers are employed in New Zealand?
- RQ2. Are current regulation, monitoring, and enforcement mechanisms adequate to protect international students working in New Zealand?
- RQ3. What are the working experiences of international student workers in New Zealand and do such experiences make these workers vulnerable?
- RQ4. Do the working characteristics of international students differ from those of migrant workers?
- RQ5. What are the typical employment arrangements (such as employment status, legal protection, the level of wages and conditions, enforcement of the regulations) for international student workers?
- RQ6. Can international students working in New Zealand access Decent Work?

This discussion chapter examines the extent to which the research questions have been answered. Discussion of the proposed connections between education, work, and legislation is explored, as well as the role that external factors may have in facilitating more investigation of the prescient issues that have not been addressed in full. It is argued that international students must be viewed more widely than just as a commodity contributing to the economic growth of the tertiary education sector. Instead they should be viewed as individuals with considerable investment in pursuing their goals – goals that are often not facilitated by the current policy settings and political imperatives. Moreover, not only has there been limited acknowledgment of the problems experienced by international students, but the way the issues have been framed has also lacked an informed narrative. Conceptualising the international student work experience should allow different influences to be evaluated and understood as contributing to this phenomenon.

This research is interpretivist, where the findings from the three research stages were analysed, discussed, and linked to the literature, that is, five key discussion points were created through the information disseminated from the participants to the researcher. All of the five key discussion points covered in this chapter are broad enough to capture the wide range of contextual factors raised by the participants and yet are specific enough to provide explanatory and practical information. These research findings have then been linked to the literature and the theoretical models in order to provide the detail and the understanding of the working experiences of international students in New Zealand.

8.2 Research Themes

For each of the themes identified, arranged consistently through the three research findings in Chapters Five-Seven, a large volume of information was collected. As emerging questions came through requiring more investigation, the theoretical frameworks and literature was explored again, along with refinement of questions at the next research stage to gather adequate detail. This process reinforced the complexity and interwoven content of much of the investigative study. Despite overlapping detail, the findings were categorised according to the identified themes that emerged from the research questions (see Appendix O for a table of the findings). This discussion looks to address the research questions while drawing attention to the implications of these findings.

As outlined in Chapter Four, the analysis of the findings were organised thematically and informed by the literature reviewed in Chapter Three. The Stage One Survey questions were influenced by the gaps in the literature and the researcher's own previous investigations. Stage Two interviews with international students followed the same key themes, with areas needing further investigation identified through Stage One data analysis (see Appendix O for the key research findings at each stage). With the progression of questioning, clear links between study motivation and work experiences became clear, and aided theme development. It is acknowledged that these results are exploratory and that they are located within the context of the New Zealand immigration, employment, and health and safety environment. Nonetheless, the findings can contribute to a wider discourse on migration, labour rights, and Decent Work. With this in mind, below is a summary of the themes that will be discussed in more detail in the chapter:

1. **Participant Characteristics:** Included in this theme is the recognition that while the international student cohort is not a homogenous group there are contributing characteristics that may expose them to working environments and conditions that are unsafe, exploitative, and potentially illegal. It is also recognised that immigration status, ethnicity, language competence, age, and gender have roles to play in how international students experience working in New Zealand.
2. **Study and Work:** This theme acknowledges the vital links between education and work. Of interest is education as an entry category to New Zealand, and the avenue by which migrants may legitimately study *and* work. Educational institutes may be a source of work, but also a concern in terms of poor-quality education provision and low-calibre qualifications linking to poor immigration outcomes. The New Zealand requirement for only universities to provide pastoral care was criticised by the international students in terms of protection inequality by educational institute type, and a lack of services provided for students. This concern was reiterated by some stakeholders, who expressed unease at the amount of funding international students invested compared with the services provided. Further, the duty of institutional care for new and potentially vulnerable arrivals to New Zealand could be seen as in conflict with tertiary institutes and PTEs' role as a labour market provider, particularly when employing students in their own institutions. Motivations for study and work are also explored, along with employment sources.
3. **Employment Arrangements:** The findings have indicated that there are differences between the general migrant population and the sub-set of international students,

beginning with visa categorisation. Moreover, the assumption that the international student group in New Zealand is privileged does not reflect the true experiences of international students and where they have similarities to other migrants. This theme discusses the terms of employment that international students labour under while studying and post study. In this section, the contractual arrangements, industry representation, and business characteristics are summarised and discussed. International student remuneration, working hours, working characteristics, job quality, and the impact of these findings on OHS are elucidated. Industry-wide practices of ethnically based hiring, hours and pay in breach of immigration and labour law, and a lack of autonomy are the norm for these workers. Workplace exploitation and whether international students can be conceived of as vulnerable workers complete this theme.

4. **Regulation, Monitoring, and Enforcement Mechanisms:** This section explains how industry capture, politicised public policy, and a reduced enforcement capability have meant that efforts to improve international student protection have been piecemeal and fragmented. Government policymaking imperatives are explored, along with a critical evaluation of the limitations of monitoring the success - or otherwise - of regulation. A long decline in immigration and labour inspectorate numbers has only been partially addressed more recently, and public information is not available regarding whether or not these efforts have been successful.
5. **Challenges of Transition and Access to Decent Work:** As noted previously, there is an assumption that international students occupy a more privileged position in temporary migrant hierarchies (as opposed to refugees and Pacific Island migrant workers on the Recognised Seasonal Employers' (RSE) Scheme). However, the findings indicate that international students have limited opportunities to access good work while studying. Given high education levels coupled with identified trends of migrants working below their qualification levels, this is extremely concerning for not only the individuals but governments seeking skilled workers. This concluding theme also discusses the lack of transition to Decent Work for many international students following completion of their study, and whether the multilateral labour standards promulgated by the ILO may have any role in improving the outcomes for these students.

8.3 Theme One: International Student Characteristics

Sunita told me that, for her, her diploma in New Zealand meant a life of freedom. As a woman over 30, she was considered too old to marry in India and had convinced her parents to spend her dowry money for her education in New Zealand. She had a degree in HR and had worked in the field for five years but said there was little progress for her, being a woman in India. Despite her education and relatively high caste, when she came to New Zealand, she had never been away from her mother for even a night, or had flown on an airplane, or had an EFTPOS card:

I was so lonely when I was first here, not used to being alone. Being far away in the cold, in a (university) hostel... I need to stay here for good, to make a life here My study was happy for me, very good. But the work (shop assistant) is not good. I look for other work all the time but there is nothing for me. I know it is because I am a migrant, a lady, and an Indian.

This example signposts a variety of characteristics linked to identity, connection, and education as a channel for future aspirations, in many aspects typifying an international student studying in New Zealand. She was looking for a future outside her home country and saw education as a way to provide that future. Although this is the story of migration for centuries, Yukich (2013) notes that there is an emerging trend whereby immigration categories are tightening, there are increasing restrictions on labour migration, welfare policies for migrants are constrained, and the rhetoric of deserving versus the undeserving migrants gathers pace. Dhaliwal and Forkert (2016, p. 50) contend that on one hand immigration has traditionally been viewed as a legitimate avenue to enhanced life prospects. Yet on the other hand jurisdictions are tightening immigration controls together with “...the vilification of migrants in the context of the post-financial-crisis austerity agenda’ and populist discourses (often state-led) that devalue migrants - and distinguish between types of migrants”.

International students have typically been depicted in the media and in public policymaking as migrants of the deserving kind while they are studying – offering significant financial investment in New Zealand, having conditional visa entry terms of time and employment, providing their own medical insurance, and having no access to public funding. Although international students share the characteristics of being young migrants where English is generally a second language, their experiences are diverse and complex with many exposed to working environments and conditions that are unsafe, exploitative, and potentially illegal (MBIE, 2017; Louie et al., 2006; Sengupta et al., 2009). The age profile was young, consistent with a student population and jobseeker

profile, and youth is often a motivation for migration (Deumert et al., 2004 Jackling, 2007). Young people will more readily choose to migrate due to visa favourability, limited economic links to their home country, and a perception of greater opportunity. While migration can bring independence and autonomy and alleviate the social pressures to comply with the expectations and customs of their country of origin, it also means responding to new living circumstances, culture, and brings new economic responsibilities.

One of the other dominant features of the international student participants is that Indian and Chinese respondents represented over 80 percent of the survey sample (46% and 36% respectively). There was varied representation across nationalities, but their numbers were small when compared to the dominant groups. The discussion, therefore, has focused primarily about these groups - and the 'other'. There was a relatively even sample spread among male and female respondents (53% and 47% respectively) although 78 percent of the Indian sample was male. The Chinese group had almost even representation - of the 173, 86 were female. The Stage Two interview phase was too small to infer demographic trends ($n = 13$), but characteristics have been identified when warranted. These findings are consistent with other research in Australia showing the increasing Chinese and Indian international student cohort (Birrell & Rapson, 2005; Hawthorne, 2014), and growing numbers of young and female students travelling for education (United Nations, 2017).

Having provided a context of student characteristics, the next theme looks at international students studying and working.

8.4 Theme Two: Study and Work

As education is the avenue through which international students enter New Zealand, the researcher sought to gather background information about international student study characteristics. With international student study and work having a strong connection in the literature (see Anderson & Naidu, 2010; Anderson et al., 2012; Anderson et al., 2011; Clibborn & Wright, 2018; Curtis & Shani, 2002; Hawthorne, 2014), these actions cannot be viewed in isolation from each other. While the primary investigation was about international student working experiences, education is important for the following reasons:

- it provides the means to legitimately enter New Zealand

- it is a source of labour for the host country
- it is a direct source of employment for the student
- it provides pastoral care for the students.

These multiple and potentially contradictory roles will be analysed in more detail within this theme to understand the role of education in relation to work. The next section summarises the survey and interview findings regarding international students' studying experiences, including study motivations, education quality, and pastoral care. Following are work motivations, financial demands, employment sources, and business owner-ethnicity of international students, along with relevant stakeholder commentary.

8.4.1 Studying in New Zealand

All forms of tertiary educational institutes were represented, where one-third of the Stage 1A survey respondents were studying at university, followed by private training institutes (23%), then polytechnics (17.5%). That over half the students surveyed were studying at university and polytechnic presumably reflects higher language competence, with an English language requirement prior to tertiary admission. The Graduate Diploma made up 43 percent of the sample, and the Diploma 28 percent, together totalling 71 percent of the responses. These are both courses of only one year and in the case of the Graduate Diploma a postgraduate qualification. The Bachelors and postgraduate degree qualifications made up a quarter of the sample together (15% and 10%). Although a diverse range of subjects was represented, the dominance of Business and English subjects was evident at 24 percent and 17 percent (41% of the total). Hospitality (15%) and tourism (7%) also had a significant number of students, particularly within the PTE sector. One-hundred and thirty survey respondents were no longer studying and had transferred to a Post Study Work Visa - Open (93%), or a Post Study Work Visa - Employer-Assisted (5%). The remaining two percent had a Work to Residence Visa.

Over two-thirds of the survey sample were enrolled in short courses and nearly three-quarters of all survey respondents already had a tertiary qualification before studying in New Zealand. This would signal that education was not the primary motivation for studying in New Zealand for all. That 74.5 percent of the total survey sample and 90 percent of the Indian cohort reported having tertiary qualifications before studying in New Zealand indicated that education provided the avenue for entry and (limited) work rights for some. Without work that is on the skills shortage list, or in the RSE Scheme, and in

the absence of a working holiday visa³⁵, the Student Visa is the only visa that allows employment and work visas following study. The visa value is therefore far greater than education. Four out of five Indians interviewed were enrolled in short courses as they lacked funding for longer courses (typically three years) and stated that this enabled them to quickly enter the job market - a pragmatic approach. Motivations for study are explored next.

8.4.2 Motivations for International Students to Study in New Zealand

For the international students choosing to study in New Zealand, the stakes are high. International student course fees are roughly four times that of the normal fees and together with a high cost of living the investment required is considerable. Exploring the study motivations, aspirations for a better or safer life for themselves and their families was the strongest migration motivation factor at Stages One and Two of the data collection, although this varied between and within country of origin groups. Key motivations at Stage One were an opportunity for residency (317), followed by cost (302), while the reputation of the institute was a distant third (217). Residency was most strongly desired by the Indian group, with 92 percent (or 206) indicating a desire for permanent residency. A smaller group, (although still a significant number) among the Chinese were interested in staying permanently, at 64 percent. Exploring the motivations in the interview phase, safety and potential opportunities compared to their home countries dominated:

“In my country (India) there is so much competition, to get a job, a good job. So many people. We (family) are Punjab, a good caste. But better to go overseas, to get some more opportunities, have a better life.” (Krishna).

“New Zealand has a safe environment. I wanted Australia (to study in) but I didn’t get accepted to the places I applied. New Zealand took me, and it is boring here but safe. Very small compared to Beijing.” (Chao).

“We (family) heard it was easy to stay, to get residency. Many people went and stayed, and the parents said they were a success.... Got good jobs... a house... respect.” (Aarav).

Grant McPherson from Education NZ backed up the student perception of New Zealand as a safe destination:

³⁵ This is for young holidaymakers to engage in temporary work while in New Zealand. India is not among eligible nations, see: https://www.immigration.govt.nz/new-zealand-visas/options/work/thinking-about-coming-to-new-zealand-to-work/working-holiday-visa?_ga=2.193886318.237600178.1559901034-80236866.1557649176

I say safety is one of the attributes that people look to when they come to New Zealand and alumni research would back up, the vast majority would go away feeling that they've not only been safe but also had a wonderful experience... Now I think New Zealand does a reasonable job of that, but you can always do better."

While multiple stakeholders mentioned education as an avenue for entry and then potential residency; proposed was differences in motivations between the groups. Some groups of international students were seen as more genuine students, with status a primary motivator:

So for many international students it's either say for example genuinely if they are sent from China for example these are well-to-do families, might have plans for their kids and once they get enough life experience, work experience, education, go back to China and start higher compared to if they haven't done university, so it's also strategy... Japanese, the Koreans and the Chinese, most of them will come from well-to-do families and I think for them it's like a status thing— you jump the scale (H. Rasalan).

Some stakeholders also mentioned the low-value courses on offer, where the New Zealand education quality was not viewed as better than in the students' countries of origin. Nonetheless, education quality was not viewed as a primary motivation for migration:

...why would you want to spend these heaps of money going somewhere lower on the list, and investing a lot of money, if it's just education that you're really wanting. But then again at the end of the day it's not just about education, it's about providing a better future for the family. But they've got the PR, with the PR they can come back anytime (H. Rasalan).

... when I know someone who studied at Harvard University, they are quite proud of that because they bring that kind of education back to their country, okay, that's kind of good... In New Zealand, they're coming here and studying not because they would like to learn from this country, they study here because they would like to work and live permanently, so that is why I call that a backdoor way to get permanent residency. (D. Maga).

Among other nationalities, however, studying abroad was primarily seen as a short-term experience, with few desiring to stay permanently. Using the *Push-Pull* framework it was evident that many international students were pushed by believing there were better conditions in New Zealand, especially for the Indian group struggling with high competition for good university education and a lack of professional work roles. A significant group were also motivated by the 'prestige' of an overseas qualification in a western country and the perceived potential for greater earnings over times, either in the

host or their home country (Hayley, 2017). Social and cultural advantages could be a further push factor, especially for those from poor family backgrounds seeking opportunities that caste-dominated and hierarchical countries were unlikely to provide them.

The *pull* factors were of education providing an entrance into New Zealand, as well as the future benefits of a return on investment in terms of student and future work rights (Cubillo et al., 2006). New Zealand is also a cheaper destination than the USA and the UK to study in (Bai, 2008). The study-destination environment was also an important consideration, evident by a number of students mentioning safety. The rapid decline of Indian students in 2010-12 in Australia (Hawthorne, 2014) followed reports that in 2009 that Indian students were being targeted for racial violence (Mason, 2012), increasing the numbers coming to New Zealand. The choice in destinations was mentioned as an aside by two Indians interviewed, saying their families preferred New Zealand as a destination due to the negative publicity of previous events. Established ethnic communities in Auckland were also seen as favourable for international student inclusion by some of those interviewed.

8.4.3 Education Quality and Pastoral Care

While the Stage One Survey did not explore education quality or pastoral care specifically, numerous comments were made on these subjects in the free-form sections. Although the primary motivation to come to New Zealand for most was not education quality, a significant number of individuals reported low-quality courses, educational institutes having little interest in them, and being “siloes” as international students at universities. The Chinese cohort were most likely to complain about poor education quality, regardless of the institution type:

“They (the PTE) used low-qualified people, just... you know... no good at explaining (content). I expected that paying this much, they would have proper teachers.”

“It (the university) was little, old lecture rooms. It didn’t feel like a smart place to study. I think NZ has bad quality schools!”

An emerging concern was the perception that many tertiary institutions offered outdated courses:

“The computer security programmes they were using were way behind the ones in India, they hadn’t even heard of our programmes (used). They (the PTE) were pretty low-tech”.

“University was teaching business theory that they didn’t teach in China for a long time (sic). When I asked the teacher why this was being taught, he said I didn’t understand. I said my university didn’t teach it; it was old. He made out like I didn’t understand, didn’t know. But I know it is not good teaching”.

A number of respondents and interviewees commented on the absence of pastoral care offered by their educational institutions although the PTEs fared better in terms of offering support and social gatherings than universities. Private Training Enterprises were reported to make an effort to know student names and details, as well as providing more social activities, for example, Country National Days and after-study activities. In contrast, many students attending university commented that apart from group emails and welcome functions at the beginning of study there was little other interaction. This is concerning as the largest group in this study were attending university and were paying the highest tuition fees.

The New Zealand Ministry of Education endeavoured to improve the pastoral care of international students by introducing a Code of Practice in 2001, updated in 2016, providing guidance for educational institutions on necessary care for international students. However, Campbell and Li (2008) found in Australian research that international student interviews showed insufficient support offered to this group, despite the large amount of money they bring tertiary institutions and PTEs. Evidence suggests in this research that New Zealand tertiary institutions also do not assign a high priority to the cohort. A confidential study undertaken for the lead sector body, the Education New Zealand Trust, found that the rate of university reinvestment of revenues from their international students was markedly below equivalent levels for Australian universities (Illuminate Consulting Group, 2014). There was concern about this oversight signposted in interviews with key stakeholders where some mentioned how little of the money international students paid for their education was used for their care:

I think there should be concern... all of the institutions go through periods of cost-cutting and all the rest and just like politics in the general world, what gets cut first, it’s the social services that get cut first... There is an overarching responsibility on behalf of the pastoral care code to say, you’re making buckets of money from international students, so give us a quick overview that you’ve got enough provision for them and is it up to scratch. (B. Lythe).

Kris Lal spoke of inadequate planning by education institutes when expanding and the lack of consideration given to pastoral care provisions:

So, we've had the case at the Marlborough Institute of Technology, it was another example of them doubling down on international students, chasing international student dollars is but then not having a duty of care when the students arrive. I think they went from something like 50 international students one year and it's shot up to 250 - 300 the year after... they should have done a little bit more planning around having a whole bunch of international students from one area in China arriving and, you know, they'd been promised a whole lot of stuff.

Honey Rasalan reported that an increasing number of international students were seeking help from Migration Action Trust in the absence of other pastoral support:

It's a mix, we got students who recently arrived, and they are keen to start looking for part-time work; we also have students who are already working part-time but they are going to need to find an appropriate job which enables them to stay longer in New Zealand, so we've got a mix of those, more than 50% of those that contact for support.

Based on document analysis, there has also been public sector disquiet about ongoing education quality issues. For example, in March 2016, the Minister for Tertiary Education Skills, and Employment was asked about tertiary providers currently under formal investigation by the New Zealand Qualifications Authority for educational delivery issues. As a result of the investigation, the New Zealand Qualifications Authority placed sanctions on two prominent educational providers that catered primarily for the international student market (Laxon, 2016). A number of other PTEs have collapsed since then, media citing international student disappointment in the education provision and pastoral oversight (Collins, 2018; SBS, 2017). It was felt by a significant portion of the stakeholders that parts of the sector were not running quality education services, but were providing 'free'³⁶ or low-cost labour hire:

I don't believe are legitimate in any way, but a number of them appear to be feeders into the labour market as well, they are actually feeding people into work illegally. (H. Rasalan, personal communication, 2018).

Peter said he had seen applications where students had worked for free far beyond the course requirements, in the hope of gaining further work. This was often in addition to paid work, discussed next.

³⁶ In cases where industry experience was required, such as tourism and hospitality.

8.5 International Students Working While Studying

In common with host country nationals, many international students work while studying. However, the extant literature indicates that their involvement in the labour market is not as straightforward as that of a permanent, *standard* worker. Literature in Chapter Three shows that migrant workers have working characteristics that differ from the host population in general (although it is important to note that not all migrants will experience these differences). Further, while international students are framed in the literature as being a subset of migrants by definition and in policy (see Brooks & Waters, 2010; Immigration NZ various), they have features that differ from other New Zealand migrants more generally including visa category, work limitations, youth (relative to other migrants), and nationality differences (the dominance of Indian, Korean, and Chinese students differs from the general migrant pool) (Immigration New Zealand, 2017). These may be indicators of opportunity or vulnerability in the labour market. Work motivations are presented next.

8.5.1 Motivations for Engaging in Employment

In the Stage 1A Survey, unsurprisingly most of the respondents (329) stated that they worked for financial reasons. Able to pick multiple options, other motivations were that work was a pathway to permanent residency (318) and for gaining work experience (314). Meeting New Zealanders, understanding the ‘Kiwi’ culture, and job satisfaction all had low response rates. Answers in the Stage 1B Survey from those at the post-study level had little variation, where the only two responses were 59 percent stating they were working as a pathway to permanent residency while 38 percent were trying to gain New Zealand work experience. Smaller numbers mentioned financial need and saving money as their primary motivation for working. This finding is not surprising and has been signalled in a significant volume of literature (Baas, 2007; Birrell & Rapson, 2005; Hawthorne, 2010; Salt & Millar, 2006; Ruhs, 2006).

Some students surveyed noted that they had little or no financial support from their family and had little money to financially survive in New Zealand. Commonly mentioned was the high cost of living in New Zealand, particularly Auckland. This was a motivation to work for many:

“I had saved... what I thought was enough. But the rent was a lot more, so I had to find some work.”

Those interviewed made similar reference without the researcher enquiring:

“I couldn’t believe how much everything cost - the train, food, clothes. And then the flat was a lot, then all the other expenses. So, I had to work.” (Kiet).

“I am from Europe and live in the central city. My rent is much less than I have paid to be in Auckland. The train and the food is not affordable.” (Camille).

The perception that international students are relatively privileged was not agreed with by the stakeholders, citing exchange rate relativities and cost of living comparisons:

When I was in the Philippines, I was able to fly with a group of students and I started interviewing them on the plane and I realised that a lot of them came from rich family backgrounds. When I say rich, they have everything, they never actually live in a country where they have to do everything for themselves. When they arrived here they couldn’t believe that they had to start begging, begging to get a stand fan because it’s summer, to get some extra plates or extra clothes, because they’re trying to save the money that their parents are actually sending. In the Philippines you can consider that, okay, that’s really a wealthy living, but in New Zealand it’s just going to be an average because the costs of living are totally different. The minimum wage in the Philippines, for example, is only equivalent to one hour in New Zealand, 15.25, so that’s the big gap. The lifestyle is changing, and I don’t think that I heard one of them even say that they believe they are privileged. A lot of them actually open up and they say that it’s not easy to live in New Zealand, in a country like this. It’s a beautiful country but to survive is quite different. (D. Maga).

“We (NZ) don’t get the wealthy ones, the most privileged. They will have options other than NZ with money. Even Australia, look at their university rankings compared to ours. They come here for other reasons – safety, residency.” (Peter).

With many students having limited funding upon arrival, it was useful to investigate the cost of living for international students, and how this had an impact around employment decision-making.

8.5.1.1 International Students’ Cost of Living in New Zealand

One of the key findings at both survey and interviewing stages was that New Zealand was much more expensive than the international students had imagined (or been told) prior to arrival. Many spoke of the shock of arriving and finding the cost of food and services far outweighed the limited funds they had available. This was exacerbated by the unrealised difficulty in getting work, discussed in Section 6.5.2.

In the survey, 61 percent of international students were flatting while 18 percent were boarding with a family, 11 percent were living alone, and 2 percent were living in a hostel. Eight percent reported that they were living in other situations including with their own

family, room-sharing, living with a partner, or living at their work site. In the literature, the cost of study has been explored to the fine commodities level (see Section 3.6.4.). While students in the survey were not asked for this level of detail, they did provide an estimated weekly living cost as context. The findings ranged from \$200 to \$500 per week although 11 percent did not answer. The median response was in the \$250-300 range per week for cost of living, with the greatest frequency indicating \$300-350 per week. Chinese students had a greater frequency of answering at the higher range of living costs per week, where all respondents answering over \$400 per week were Chinese. This estimate seemed low, given the high cost of living in New Zealand, especially Auckland. However, it roughly correlates with the evidence of funds requirement for study but in many cases the income is earned here, rather than being brought into the country.

For 41 percent of the Indians in the survey there was the additional financial pressure of educational loans. Although the most common source of loan finance was through family (50.5%) a quarter of loans were from a bank or finance companies (27%), and one-third of the Indian sample were required to make repayments during their studying. The representation of Chinese having loans in the sample was very low, where only 11 of 173 (0.64%) Chinese reported borrowing money for education – the only other nationality. Given that the Chinese group were born during the one child policy, it could be assumed that there was capacity for familial investment in their overseas study. Nonetheless, regardless of ethnicity the level of debt undertaken permeates the respondents' experiences, choices, and aspirations - evident in the narrative:

“My loan is big; it will cost me about \$100,000 NZD. Plus, interest. So, I will stay here, hopefully for good. I need to make some money for paying (the loan) off.”

“The loan is more than what a house would cost in India, my parents applied for it against their house. They have done everything for me, so I have to succeed.”

“It is the only way I could come to New Zealand, taking a loan. It is very common in India.”

Of those interviewed, only Sunita (a 37-year-old shop assistant who had completed a graduate diploma) had a loan. She mentioned in the interview that her parents had spent her dowry money for her to study in New Zealand as she was over thirty and unlikely to find a husband. However, she had taken a bank loan to cover the rest. The loan was strong motivation for her to work and succeed in New Zealand as well as a burden. It is surprising that there has been no research on this subject, given the financial pressures

that many Indian students in this research was clear. This would be an area of research that could be investigated.

For international students, although their immigration entry category is through education, work is allowed as an additional measure of financial support while studying. These imperatives are acknowledged in immigration regulation in the hours of work conditionality. Nevertheless, work as an inducement to study in New Zealand is promoted through overseas marketing by ENZ and overseas education agents and is an important element of remaining competitive as a study destination. In addition, the ability to gain local work experience if the student intends to stay after completion of study is a necessary requirement for permanent residency in New Zealand. The following section provides the employment sources and owner/manager characteristics of the survey respondents.

8.5.2 Source of Current Employment

As new migrants to New Zealand, students are presumed to not have extensive networks to draw on for employment opportunities. However, nearly half of international students gained work through friends, with job advertisements the second largest source at 27 percent, followed by ethnic communities and the educational institutes where respondents were studying. For those who had transitioned into work, ethnic communities (42%) and friends (30%) were the largest sources for gaining employment, followed by job advertisements (19%). That the main employment sources changed between during and after study perhaps reflected the fact that students' contacts within their ethnic and social communities became stronger. While not investigated in more detail in the survey, those interviewed were asked to provide narrative on these trends (see Table 8.1.).

Table 8.1. Employment Sources for International Students

Friends	<i>People will always tell each other at *** (PTE) when there is work, we try to help each other. But everyone knows that there is only in a nation (sic)... hiring by same nationalities. I mean a Thai wouldn't work for an Indian. (Naran).</i>
Ethnic Communities	<i>I applied for many things, but they said my English was not good. Not good for in front of people (customer services). So, I tried for cleaning, a man at temple said he had a cleaning company. And it was ok, he treated me ok. But it was by office floor, not per hour. So many times, I would get low pay, not enough. So, I did more work, more hours. Then I got a hotel cleaning job, by room. It is better but still not good. (Sai).</i>
Educational Institutes	<i>I could speak better English than others (in my class). So, I got first asked to help with speaking, then with groups. Then some marking. I couldn't find another job, so this seemed easy. But it didn't help me find better work. (Krishna).</i>

Many international students found it very difficult to find employment, regardless of their previous work experience or qualifications. The lack of job opportunities led them to take any work they were offered, the absence of choice being a potential marker of poor job quality:

For me finding a job took a long time, nearly three months. I applied online, delivered CVs. I already had a degree and three years' experience in my area (finance). My English, it is clear, yes? I could do finance but am working in a shop. Computer sales are ok, but I don't know how to get a job in my area, experience to stay. (Chao).

One interviewee was told they would need to pay for a job offer to show their commitment:

Work was difficult. I didn't know how, and I was too shy to just go and ask (for work). I looked in the paper, but everything was sales, commission. I had never sold, didn't know how. One place asked me for a deposit, to show I wanted the job. I was supposed to pay money. They said if I did a good job then maybe I get the money back later. But I needed money ... I couldn't afford to do that. Later my friend said it was a bad company. Some people got cheated. (Aarav).

Honey Rasalan was also aware of students paying for "work experience" from a "broker":

I'm just so surprised this a business right now, is this a legit business... they were working with international students and they're wanting to work for three months as part of their work experience, whatever, and they are willing to pay

the organisation \$10,000 to get them in and supervise them. And then I was just thinking, oh, this is very lucrative.

8.5.3 Owner/Manager Nationalities

Given the nature of finding a job relied strongly on social networks at Stages 1A & B, it was appropriate to explore the nationality of the international students' owners and managers. The predominant nationality of the business owner and manager was New Zealand (48% and 37%)³⁷ although Indian business owners and managers had the second highest representation (22% and 20%). In particular, Indian managers made up 29% and Chinese managers represented 23%. Ethnically-based hiring meant that there was a large number of students working within their own ethnic communities. These findings signal that hiring occurs within ethnic communities and is relationship based. The researcher's previous research has indicated that migrant communities exploit their own (Anderson & Naidu, 2010) but, given that work was often gained through friends and ethnic communities and opportunities were limited, any employment could be viewed as an opening into the New Zealand labour market.

Nonetheless, these interconnections potentially complicate the employee-employer relationship and can exacerbate a power imbalance. Exiting such a relationship is also more difficult due to community ties and a sense of obligation (Carville, 2016; Li, 2017). So-called 'New Zealand' business owners and managers were reported as hiring across different nationalities, although in small numbers and favouring applicants from western countries. Among the stakeholders, Brian Lythe reported that Immigration NZ was aware of exploitation within communities, "*And *** in his last talk up there with us he actually said that, he said we know Chinese rip off Chinese and Indians rip off Indians.*"

8.5.4 Conflict Between Study and Work

"Every night I worked at the restaurant. It was very late finish and I missed classes (at university). I hoped I would find another position but didn't get anything."

Remarkably this survey comment was not a typical response as most of the international students reported that working while studying had no impact on their academic achievement. Most of those interviewed (9 of 11) stated that they had come to New Zealand to work, rather than for education, but some did note that they had problems in juggling work and assignments. These responses contradict a large volume of research

³⁷ As discussed in Chapter Five, there was some confusion around this question. While the largest response was New Zealander, it does not indicate a previous nationality if the person is a migrant or ethnic background.

that shows working while studying has a negative impact on a students' educational performance (Callender & Kemp, 2000; Paton-Saltzberg & Lindsay, 1993; Robotham, 2009). For example, in a New Zealand study, over half of the students felt their studies had been adversely affected by their employment (Manthei & Gilmore, 2005). McDonald et al. (2007) also note that the tension between studying and work is often the result of the vulnerability of the students to be exploited by their employers because the students typically have limited work skills, high unemployment, under-employment, and poor knowledge of their rights. International students face all these characteristics and additional vulnerabilities relating to acculturation, age, and financial pressure, as previously discussed. International students also tend to work longer hours than legally mandated (see Sections 3.9.2 & 5.7.2)

The theoretical frameworks with particular relevance for these findings are the *Push-pull Factors Model* presented in Section 2.3. The ability to work while studying, immigration law, and potential to have ongoing work is particularly prescient, give that students were choosing their study destination based on these factors, among others. Burgess and Campbell's (1998) measurements of precariousness employment also have application, as word-of-mouth hiring may contribute to employment, functional, work, and income insecurity.

Theme Two has set the scene by detailing links between education and work for international students. Education is the entry category to New Zealand, and the avenue by which migrants may legitimately study *and* work. Concerns were poor-quality education provision, low-calibre qualifications, and minimal pastoral care were evident from the survey and interview findings, shared by some stakeholders. Motivations for study and work are also explored, along with employment sources. These answers clearly indicated the potential for permanent residency not education was the primary migration motivation, while work was for financial support but also for gaining the much desired local work experience. International students who worked were primarily finding work through social contacts at Stages 1A & B and Stage Two research phases, and there was evidence of ethnic community-based hiring.

8.6 Theme Three: International Student Employment Arrangements

This section details some of the characteristics that typified the working experiences of international students. Summarised are the work categories and business characteristics where international students work.

8.6.1 Industry Concentration and Business Characteristics

Prior to analysing the research findings, there were some reporting inconsistencies that the researcher needed to further investigate. In the survey, Stages 1A and B respondents were asked to pick from occupational classifications as per the Australian and New Zealand Standard Classification of Occupations (ANZSCO) list. To gain more detail, students were then asked to give their job title and to describe the main tasks they did in their work role. While the initial findings indicated a self-report of the high level of management positions (particularly in the post-study cohort), the analysis of job tasks did not correlate to the occupational classifications in ANZSIC06. This necessitated recategorisation of the job roles at both stages. The self-report and the recategorisation are presented as follows:

Table 8.2. Stage 1A Respondent Work Category That Best Fits Current or Most Recent Employment: International Student Self-Report and Researcher Recategorisation

Work Category (ANZSIC06 Division)	International Students Self-Report %	International Student Researcher Recategorisation %
Managers	32.5	8
Professionals	16	2
Technicians and Trades Workers	13.5	13.5
Community and Personal Service Workers	2.5	2.5
Sales Workers	16	39
Clerical and Administrative Workers	10.5	27.5
Machinery Operator and Drivers	2.5	2.5
Labourers	6	5
Total	100	100

Table 8.3. Stage 1B Respondent Work Category That Best Fits Current or Most Recent Employment International: Student Self-Report and Researcher Recategorisation

Work category (ANZSIC06 Division)	International Students' Self-Report Percentage (%)	International students' Researcher Recategorisation (%)
Managers	64	11
Professionals	17	6
Technicians and Trades Workers	19	25
Community and Personal Service Workers	0	9
Sales Workers	0	42
Clerical and Administrative Workers	0	37
Machinery Operator and Drivers	0	0
Labourers	0	0
Total	100	130

The self-report at both survey stages 1A and B indicates a high number of students reporting to be working in management roles whereas the work they are undertaking does not correspond to this classification. Of the international students at Stage 1A, the recategorisation found that most who stated they were managers were working in retail, some sole charge. Nonetheless, they did not supervise staff, make purchasing decisions, or manage budgets. While a small number worked in professional positions, this was negligible with only six out of 353 respondents (or 1.7%) of the total. Four of the six were working in IT, two were doing accounting work. Given the large number with previous tertiary qualifications, this is extremely low.

Stage 1B respondents had a high self-report of management and professional roles, which initially was seen by the researcher as a clear transition to better work roles post study. Unfortunately, analysis indicated that for most this was not the case. The management roles were still primarily in retail although there was evidence of some staff supervision. The calibre of work roles had not improved following completion of a tertiary qualification, discussed further in Section 8.11.

There are several reasons this ‘upgrading’ work roles could be occurring. For example, the role was advertised at a managerial level, the status of having a managerial title is appealing to international students (particularly those post-study), visa requirements meant that graduates have to find work in the field of their study to stay long term, or that generally occupations at the managerial level are listed on the LTSSL. Moreover, the findings show that tailoring of job titles to fit skills shortages was a common practice and commented on by Peter, the Immigration NZ officer:

“Rows and rows of applications from international students, all claiming they are managers. Managers of what? Their English is poor, they get qualifications that won’t help them... But there are manager roles that fill the skill shortage component. Not supervisors though, so we don’t get supervisor applications. Their employer can easily say they can’t find New Zealanders to do the work because they won’t. It’s shit work and no one with do it unless they had no other options.

8.6.1.1 Industry Sectors and Business Size

The international students surveyed and interviewed were employed across all sectors although almost half of the undergraduate students were concentrated in the following sectors: accommodation and food services; retail trade; and administrative and support services. Two-thirds of the postgraduate students were employed in the retail trade (40%) and the accommodation and food services (19%). This finding is consistent with the

literature in that students are generally employed in the service sector on a part-time basis with limited job progression and little or no job security (Campbell et al., 2016; Campbell & Brosnan, 2005). Migrant labour more generally is concentrated in the services sector because the industry generally favours labour flexibility, ease of entry, and low-cost wages (Anderson & Naidu, 2010; Bloch & McKay, 2011; Gonzales et al., 2012). It is also notable that there is a lack of transition from the service sector to more professional industries, such as engineering or IT, areas that many of the students were studying.

Evident was the total dominance of Auckland as a study and work destination. Sixty-nine percent of international students worked in businesses located in Auckland, followed by nearly 25 percent in Christchurch and 9 percent in Dunedin. Seventy-one percent of businesses were reported to be New Zealand-owned, and 13 percent were international franchises. Of the Post Study Work Visa holders, 71.5 percent worked in businesses located in Auckland, followed by Christchurch at 28.5 percent - the only other location represented. Sixty-five percent were reported to be New Zealand-owned, 20 percent international franchises. These findings support the literature outlined in Chapter Three, where Auckland has been identified by government research as the main location for study (ENZ, 2017; Infometrics & NRB, 2016). This has been seen as a problem, and educational and work visa settings are attempting to redress this imbalance by offering preferential visa conditions to those who study outside Auckland (Immigration NZ, 2018b).

In the undergraduate dataset, all business sizes were represented although the most common size of business was 20-49 employees, followed by more than 100 employees – representing service roles such as retail and hospitality. Fewer numbers work in SMEs than was expected (29.5%), given that SMEs are the most common business size in New Zealand. In the postgraduate dataset, the findings were reversed whereby the most commonly occurring sizes were 10 -19 employees, followed by 6-9 employees.

The findings confirm that the nature of word-of-mouth recruitment through social networks is widespread among smaller businesses who may not have the systems and processes in place compared to large organisations.

8.6.2 Contractual Arrangements and Employment Legislation Awareness

Although New Zealand employment law requires that an employment agreement is presented to all workers, for many of the international student respondents and interviewees this was not the case.

Table 8.4. International Student Contractual Arrangements and Employment Legislation Awareness

Research Stage	Employment Agreement for Current or Most Recent Work			Awareness of the Terms and Conditions of Their Contract		
	Yes	No	Unsure	Yes	No	Unsure
Stage 1A	64.5%	29.4%	5.9%	73.6%	26.3%	0%
Stage 1B	78.4%	21.6%	0%	94%	6%	0%
Stage Two Interviews n = 11	10	1	0	10	1	0

International students who had an employment agreement were generally aware of the terms and conditions of their employment while those students who were not given an employment agreement were not. Without a written agreement there was a lack of clarity about agreed terms and conditions, which meant that international students often struggled to assert the most basic of their employment rights (e.g. sick leave, holiday pay) and may be subjected to unfair, unjust, and illegal practices, and, in some cases, to blatant exploitation.

The researcher's own previous work found that a contractual 'agreement' was no means to mitigate employment exploitation (Anderson & Naidu, 2010; Anderson et al., 2012) or a guarantee of good working conditions. Those with no employment agreement also reported that they received little or no training for their job and were more likely to feel unsafe at work. For international student workers, a lack of any employment agreement clarifying terms and conditions could mean breaching of their visa conditions, evident in upcoming findings.

The other related finding was that the respondents generally had not been in their job particularly long, which was not unexpected given most of those interviewed were studying in New Zealand for only a year. However, some of the participants did indicate that they had been in their employment for over a year although they had not progressed in their status or received any pay increases (discussed further in Theme Five).

8.6.3 Remuneration and Hours of Work

Remuneration is a strong indicator of how the work tasks and the position is valued and the employee's ability to negotiate satisfactory terms and conditions. It is clear from the literature that payment structure and pay rates for international students are often at or around legal minima (Curtis & Lucas, 2001; Ord et al., 1995). In this study, the number of hours needed to work to cover expenses became dependent upon the pay rates. However, many were paid below the minimum legal pay rates, which is a strong indicator of labour market precariousness and exploitation (see Anderson, 2010; Reilly, 2013). Forty-four percent were paid at the minimum wage rate, but the largest group fell below the minimum wage threshold (50%), consistent with Clibborn's (2015) and Kang's (2015) findings. The average pay per hour was just \$8.20,⁷ with only six students reporting earning over \$20.00 per hour. The connection between low pay rates and ensuing high work hours was evident with those reporting illegal wage rates working much longer hours than those working for minimum wage or higher:

"I would ask for overtime; always said I could do it. Sometimes it was short notice and I missed class, but the money was enough for me to have a life. The twenty hours I couldn't live." (Alvin).

"I knew minimum wage was \$13.75 but was happy to get some hours. It was 30 hours and more when needed. Gave me enough to live, fewer hours didn't." (Chao).

Poor pay rates not only affected the individual employees but also had the effect of driving down wages and conditions across the sectors in which low or illegal rates were the norm, and the work became migrant work (Tham et al., 2016). Among those interviewed, underpayment, non-payment, inaccurate, and irregular payment of wages was also evident. Always apparent was the power imbalance between the migrant worker and their employer as well as the constant fear of being 'found out' for accepting work breaching visa conditions. Of note were employment sectors where wage breaches were endemic. Among those working in tourism and hospitality roles while studying (n = 58), 71 percent were being paid below legal minima. Most were working in restaurants as dishwashers, waitstaff, or cooks. The business size of these restaurants were small, and mainly ethnic, consistent with Campbell et al.'s (2016) findings, where in Australia this sector exhibits co-ethnic employment (and exploitation). While retail trade had low wages, they were not generally illegal rates, while those in health care often complained in the survey that they missed breaks or worked extra hours without payment.

Of concern was the prevalence of poor wages for those working in tertiary institutes as tutors/teaching assistants. This was a small but significant sample, given the intersection of education and employment, as well as work location being within their own study environment. Although these respondents reported being paid the same as other tutors, they were often paid a standardised marking rate that did not consider the actual time to mark, particularly for ESOL markers and if the work was substandard:

I thought this was an opportunity- I mean, you are working for a university, so I accepted the hours, the work. But it didn't go anywhere... I think they used me to speak to the students, but they never looked out for us. I didn't speak English so well, I didn't understand... The content, what I was supposed to teach. But the class was mainly Indian, so we spoke a lot in my language, it was easier for me... At exam time I had to work extra hours, over 20, sometimes fulltime. To not get in trouble the university gave me petrol vouchers. But I don't have a car, no petrol station right in the city, and the food is expensive there (at the petrol station) (Krishna).

The student tutors were favoured by the PTE sector as they were able to relate to the other international students and were also studying there. This connection meant difficulty in questioning terms and conditions though:

If you are a teacher in India, you are admired and have status. I told my parents and they were proud. But it was just marking. And the \$\$ didn't pay for the time it took me as my English is poor. When I asked for more money, they said it was a standard rate.

"It seemed that it would be a good job, and I study accounting, so it fitted with my skills. But not much help, long meetings, and it was boring. And they pay was unfair."

While students in other sectors faced the same powerlessness, it was somewhat surprising that the exploitation of international student workers was so common in the tertiary sector, given that these institutions are supposed to be "critic and conscience of society", and beyond reproach (The Education Act, 1989). The role of a student and employee appears compromised and as little other than as a means of revenue-gathering by the tertiary institutes.

Nearly all those surveyed and interviewed were unable to negotiate pay rates, reporting that their employers had a 'take it or leave it' attitude, knowing the students' need for work placed the employers in a position of power. The lack of power in the employment relationship meant that few respondents at Stages One or Two had questioned their pay rates. Wage underpayment has advantages for employers in terms of 1) minimising costs

through non-payment of tax and ACC; 2) lower wages and salaries; and 3) hiring workers willing to work more flexible hours and/or with sub-standard working conditions. Some economists see this as a product of increased global competition, which forces many small- and medium-sized firms to draw on a supply of cheap, flexible labour in order to stay competitive (Boswell & Straubhaar, 2004; Drezner, 2002; Drinkwater, Levine, Lotti, & Pearlman, 2003). Survey respondents felt that employers only saw them as a source of cheap labour to be paid at low or illegal rates and offered them no opportunities nor any progression. Many of the participants were unaware of their rights and were working long hours to earn a wage they thought was decent and accepted this:

“Pay was often late, and wrong. Then they would argue about my hours, say I didn’t work when I put hours down, it was easier to give up.”

“My pay never added up right. Paid in cash, boss said he was short and would pay the rest next time. He never did.”

In the Stage One survey, 52 percent felt their pay was fair, while 45 percent did not. Of those who considered their pay unfair, most frequently commented was that they believed they were being paid less as migrants and that the pay did not reflect their experience or qualification. The participants in the 1A Survey reported work hours ranging from two to 50 hours per week while studying. The average number of reported hours worked was 19.7 hours, just below the legal limit of 20, consistent with Nyland et al.’s (2009) Australian finding that visa breaches could result in deportation, international students were unwilling to report extra hours. While this is the average, it does not accurately reflect that a considerable majority (57.5%) were working more hours than those mandated by their visa (Immigration New Zealand, 2016), and, of those, 19.5 percent were working fulltime and more than 40 hours per week in addition to their study. A significant minority (41%) were not guaranteed hours, and 44 percent did not have regular hours. At the post-study stage, 68 percent were classified as having full-time hours as the average number of hours worked was 34.7 hours. Minimum hours were guaranteed for 81 percent while 85 percent had regular work hours. This indicates a positive transition in terms of work stability compared to international student respondents who were still studying.

An overarching theme explored in the interviews was the high cost of living, with some mentioning they felt that the 20-hour restriction while studying was unrealistic even though funds were supposed to be available while studying. When questioned more

about this, responses were that either the evidence of funds was often falsified or that the amount was insufficient to live on:

“I had to do 30 hours, just to make enough to live’. So expensive here! (in Auckland).” (Sai, personal communication, 2016).

“I got work and they said ten hours. It wasn't enough to live on. Then they said 25 but only if I took \$12 instead of \$14.” (Feng, personal communication, 2016).

In summary, there was a prevalent culture of working long hours, necessary for many students because their wages and educational funds were not adequate. The findings also point to the fact that legal employee protection was to a large extent not evident. Precarious job traits such as irregularity of income and hours are likely to have a different impact on international students who are assumed to have financial savings and are unable to access social benefits as non-permanent migrants.

8.6.4 Working Characteristics and Employment Experiences

Understanding the types or characteristics of the work undertaken by the international students’ sheds light on their conditions of work and experiences. As outlined above, there are several important factors that have emerged from the findings that relate directly to employment characteristics and employees’ experiences. These are:

- insecure work for a significant minority
- illegal wage rates and menial working conditions for many
- limited choice, power, and control over working conditions, beginning at the pre-employment stages
- poor job quality, with progression to better work roles being extremely limited (discussed in more detail in Theme Five).

International students were asked about the key tasks they did while at work after being asked to list their job title (see Appendices D & H). Given the service sector dominance, many reported serving in restaurants and shops, washing dishes, stacking shelves, collecting for charities, or selling products on the street. Translation plus child and elder care also had significant representation. Moreover, for those post study, in most cases there was little difference in tasks and work categorisations than the work undertaken while still studying. While some reported moving into professional roles, this percentage was small at only six percent. Generally, the work at both pre- and post-study stages could be described as having poor intrinsic quality with little opportunity for development

(see Osterman & Shulman, 2011), as the comments outlined in the table following illustrates.

Table 8.5. The Employment Experiences of International Students

Employment Experiences	Quotes
Ethnically-based hiring	<i>(Laughs) You know we always get caught up in our communities, people find a way, so you owe them... Maybe they do something nice for you, help you with a (job) application Maybe they give you a contact. Then they ask you to help. The work is never good... but I expected that. (Prisha).</i>
Work outside agreed conditions	<i>It's being a nanny; the lady is often home late and tells me to clean. When I can't (because looking after children) she tells me I should be better with my time'. She didn't tell me about cooking and cleaning when I was hired. (Kiet). "I am a shop manager, but the owner gets me to do all the work. Lots of cleaning and unpacking (stock). Window displays sometimes. He says I am creative, but I wonder why I am doing cleaning." (Sunita).</i>
Working below experience/ qualification level	<i>"Bad jobs, nice people. I have degrees and worked in a takeaway."</i>
Limited work progression	<i>"Now I am qualified, have a degree. The job is still the one I had when studying, no change." (Feng). "I applied for so many jobs, so many. With my New Zealand (work) experience, my qualification I thought I would have so many opportunities... that it would be different when I finished studying. But no one responded (to my applications). I got a new job but same pay. Just fulltime."</i>

The findings of this study are consistent with the qualitative studies of Nyland et al. (2009) and the researcher's own previous work, which found that most international students work in the service sector undertaking jobs that are commonly seen as undesirable by local employees (Anderson & Naidu, 2010; Anderson, 2008). The literature also suggests that such workers frequently undertake low-status jobs and work in substandard conditions. In addition, they may be susceptible to poor worker treatment or exploitation, since in many cases these workers are under financial pressure and lack a comprehensive understanding of safety arrangements.

While a significant part of the international student employment experience appears to be marginalised, precariously employed, and poorly paid, the following section looks specifically at the health and safety risks and exposure to unsafe work of international students.

8.6.5 International Student Occupational Health and Safety

The health and safety systems and training provided are strong indicator of organisational performance and the value placed on employees. The 2015 Health and Safety at Work Act (HSWA), means employers should ensure the health, safety, and welfare of their employees. In practice, this means there is workplace accountability for training, worker participation, and representation. Nevertheless, according to the international students' survey and interview respondents, health and safety training was given low priority by most organisations, with workers largely expected to 'self-manage' their workplace environments. That less than half the sample of international students were given any health and safety training indicates a lack of *duty of care* for these workers. This finding is of concern given that most of the international student jobs are service sector, (which surprisingly has a high rate of injuries even though it is considered "low-risk") (Stats NZ, 2018), combined with the cultural and linguistic challenges faced by the students who are often inexperienced, working alone, and in sole charge.

Table 8.6. International Student Worker Training and Understanding

Worker Training and Understanding	Yes/some	No	Unsure
Stage 1A Health and Safety Training	48%	43%	9%
Stage 1A Awareness of Employment Legislation	79%	21%	0
Stage 1B Health and Safety Training	77.7%	22.3%	0
Stage 1A Awareness of Employment Legislation	71.5%	28.5%	0
Stages 1A & B Feeling of Safety at Work	94%	6%	0

While the survey responses did indicate a higher level of OHS training at the post-study phases (77.7% vs. 48%), a lower number reported awareness of employment legislation than at Stage 1A. This was not investigated in more detail in the survey although those interviewed were asked about the depth of their employment legislation and OHS knowledge. Most admitted that their knowledge was scant, and they received minimal training. A common complaint was that training covered physical but not psychosocial hazards. Problems with understanding customers, conflict management, and how to resolve problems were mentioned:

I got shown the fire extinguisher, how to evacuate the building. But I was alone at work, didn't know that people might get angry, be rude... In my culture we do not do that (get rude) much. So, man (sic) gets angry and I feel scared. Tells me I am dumb. When he left, I cried.

The little or no regulatory oversight for the health and safety (or for that matter employment protections) of workers surveyed and interviewed indicates that business owners and managers are grappling with challenges of managing a migrant workforce (Benach et al., 2011; Choudry & Henaway, 2012). In particular, poor OHS training and knowledge seemed to be the norm for the largest cohort of workers, in which 61 percent of their international student sample did not receive any safety training before they started work. Only a small percentage of the sample had experienced an accident (10.3%), similar to these research findings. The 32 (6.6%) reporting injuries in the Stage One Survey were typical of those in the service sector, with burns and cuts mainly from working in hospitality, while muscle strains were often from cleaning.

These findings are consistent with Thamrin et al. (2018), Martin et al. (2007), and McLaughlin and Hennebry's (2013) studies which indicate that migrant workers generally often receive less or worse training than host country nationals. Work health and safety statutes that now apply in New Zealand, create obligations that apply in relation to any worker engaged, influenced or directed by a person conducting a business or undertaking (PCBU). However, given that the depth of OHS training is often based on the level of danger inherent in individual workplaces, "low risk" service jobs may not be seen as important when compared to high-risk sectors such as agriculture.

Notwithstanding the absence of OHS training, an overwhelming majority of responses from Stages 1A and B and Two reported feeling safe in their workplaces. Of those who had had a workplace injury, however, 28 of 32 (or 87.5%) reported that they felt unsafe in their workplace – perhaps as a result of their accidents. Some of their concerns are outlined in Table 8.10. Of those who had received an injury, only three (11%) reported their injury to the Accident Compensation Corporation (ACC) a finding which not only supports the research on under reporting but also highlights the plight of many vulnerable workers.

Table 8.7. Work Roles and Accidents of International Students

Worker Exposure	Work Roles	Quotes
Chemical or electrical injury (n = 2)	<ul style="list-style-type: none"> • Electricity, gas, water, and waste services • Building installation services 	<i>“I tripped and got an electric shock, a bad one. It was a burn on my skin, and I was thrown back. My supervisor laughed and told me to always check if the wire is live.”</i>
Burns and cuts (n = 19)	<ul style="list-style-type: none"> • Bakery Product Manufacturing • Cleaning Compound and Toiletry Preparation Manufacturing • Food and beverage services • Food retailing • Building Cleaning, Pest Control and other Support services • Repair and Maintenance 	<i>“I tripped and hot oil fell on me. I have a scar on my leg. The owner (of the business) told me that it was nothing and would go away. She gave me some aloe vera. I didn’t go to the doctor; it costs a lot (as an international student). The scar is lumpy and ugly.”</i>
Strains and sprains (n= 9)	<ul style="list-style-type: none"> • Fruit and tree Nut growing • Dairy Cattle farming • Waste Collection, Treatment and disposal services. • Retail trade 	<i>“I had worked in an orchard and got a sore arm from picking. They told me to use the other one.”</i>
Fractures/ breaks (n = 2)	<ul style="list-style-type: none"> • Building Cleaning, Pest Control and other Support services 	<i>“The floor was slippery and there was no sign up. I came down to get more water and I slipped; I hear a crack.”</i>
Worker Numbers	n= 32	

While the previous table shows reported injuries, a significant volume of research indicates difficulty in measuring the extent of occupational illness and injury amongst international students as government databases rarely capture statistics on the occupational injury, fatalities, and compensation claims of contingent migrant workers (Corvalan et al., 1994; Holmes et al., 2011; Roguski, 2013). Often these workers may be working at the periphery of the labour market so may not be ‘captured’ by official measurement, be eligible for compensation payments, or their background characteristics are not factored into analysis (Lamm, 2014). Further, ACC and district health boards do

not capture data on international students as ACC figures are categorised by Business Industry Classification Codes (BIC) and work types. Studies by Sargeant and Tucker (2009), Quinlan et al. (2010), and others show that there is a great deal of underreporting of work-related injuries and illnesses among migrant populations.

Psychosocial risks such as stress, mental health, and bullying are also an indicator of health and safety risks. A number of survey comments indicated experiences of being belittled, exposed to significant stress in their work roles, and, in the worst cases, threatened. Those interviewed reported similar encounters as the quotes below illustrate:

“He would tell me I was no good, stupid, and that anybody could do my job. When I asked for a pay increase after two years, he said that he was giving me an opportunity and I was ungrateful.” (Danh).

It has been very difficult for me to get confidence to leave my work. She would say I did things wrong, blame me for her mistakes. When I said once it was not my mistake, she said I had no respect, to not question her ever. (Sunita).

The day-to-day reality then is that international students are often exposed to worse OHS risks and outcomes relative to the host population. Moreover, the findings of this study show that adverse OHS outcomes are more likely to be related to variables associated with migrant status, (such as lack of English language proficiency), the characteristics of the job (dangerous, dirty and demeaning work), and the parameters of their employment imposed by their immigration status (such as the hours they are allowed to work). The following section looks at whether the flexible work arrangements of many international students are emblematic of worker “choice” or employer exploitation.

8.6.6 Employment Flexibility or Workplace Exploitation?

Domestic and international students are typically located in the part-time/casualised labour market often taking jobs outside normal working hours, enabling them to work and study at the same time (Binsardi & Ekwulugo, 2003; McInnis & Hartley, 2002; Manthei & Gilmore, 2005). In the case of international students, a significant number had neither guaranteed hours nor work days (see Section 5.7.2). Nonetheless, the attraction of casualised work for international students was the relatively ease of entry into the secondary labour market compared to the primary, where little or no experience or having poor English skills were not viewed as barriers. The lack of employment options for a large part of the sample combined with financial pressure led them to accept menial jobs with low-level skills, which is mirrored in the general migrant population (Connell & Burgess, 2009; Wishnie, 2004).

As previously outlined, when looking at international students studying abroad, the multiplying factors, such as insecure work, low-level status jobs, and poor and irregular pay contribute to the vulnerability and exploitation of these workers. Moreover, insecure and poorly paid work has a significant impact on ability to meet expenses and to access and service student loans. Insecure and poorly paid work also increases the pressure for international students to pick up extra work, thus putting them in conflict with their visa conditions. Therein lies the contradictions in answers international students gave regarding their feelings about workplace fairness in Stage 1A. Although most international students felt safe in their workplaces, the majority (219 or 62%) also reported feeling exploited mainly through breaches of employment conditions (83%) although harassment (8.7%) and bullying (6.3%) were also mentioned.

Eighty-nine percent of those said their manager exploited them and they would not address this exploitation, fearing they would lose their job (92.7%) or, in a small number of cases, that their employer would not sponsor their visa later (7.3%). This was evidence of the power imbalance in the employment relationship, especially in situations where individuals have been *promised* assistance with immigration:

“I have been assured I can stay at this job after I finish study. It is not good but is in my subject area (tourism) and I can gain some experience. And I need a job to stay.”

I look after old people, cleaning rooms and the patients. The work is very difficult, and the patients are often rude to me. I was a nurse in India, came here to study management. But there are no management jobs. The manager has said he could sponsor me (for a visa) when I finish studying, then maybe I could work in management later (at the rest home).

Eighty-one percent of those at Stage 1B said that they felt in retrospect they had been exploited while working as international students, while 55 percent felt exploited in their current position - by their manager (85%) or a senior colleague (15%), as outlined in Table 8.8. Many commented that their naivety and eagerness to please, combined with the financial need to gain work, put them in a position where they were more readily accepting of poor conditions. As a result of their adverse experiences at work, many of the interviewees and respondents noted that they tried to become more familiar with New Zealand’s employment legislation. A resounding theme was that they hoped by accepting ‘bad work’ they would gain the experience and skills to find better work later. As will be seen, this was often not the case.

Table 8.8. Exploitation Experiences of International Students

Exploitation Experiences	Quotes
Pay below minima or underpay for work done	<i>I worked so many hours. The pay rate I agreed to was never paid right. He (boss) made so many excuses, told me it was going to be paid soon. Then he got grumpy, told me to stop asking, that if I complained he could find someone new (new employee).</i>
Hours of work	<i>“I always took extra hours. I needed the \$ but knew it was illegal.” “My hours were never the same, sometimes more (than 20 hours), sometimes less.”</i>
Migrant/ethnic group exploitation	<i>“The only people at my work are Indian, all on short (temporary) visas. The boss, he lives here and owns lots of restaurants.” “I think New Zealanders would not do this cleaning work. Barely minimum wage and at night. It is all migrants.” “We (workers) often get told how lucky we are to have a job, that other bosses wouldn’t employ us ‘cos we are not locals.”</i>
The desire for residency as a pressure to accept poor work	<i>“I needed work experience in my area of study, so I worked for free, then for a reduced rate. He put my pay as higher on documents for Immigration.”</i>
Poor job quality	<i>“There was no training for the work (shop assistant), just o the tills. Nothing about where to find things and what to tell the customer. Knowing not much makes me look stupid”. “It’s long hours. I had never done lifting before this job. In my country (India) poor people do this sort of work. It’s not what I want but it’s work’.</i>
Illegal and exploitative work	<i>They said it was massage and would train. My friends in class laughed, they said it would be more. The lady (at the parlour) said it was just massage, but men liked naked massage. I said no but later said yes. No other jobs.</i>

These findings are consistent with an emerging volume of national and international research. The literature has indicated a greater propensity for migrant exploitation relative to the host population (Anderson, 2010, Anderson & Ruhs, 2010; Benach et al., 2011; Craig et al., 2015; Dean, 2018). Further, the poor conditions are emblematic of a lack of job choice (Camarota & Jensenius, 2009), financial pressure (Datta et al., 2007),

and institutionalised labour market discrimination (Berinstein et al., in Vosko, 2006; Foster et al., 1991; Goldring et al., 2009). These all form a *perfect storm* for international student workers to be marginalised, subjected to unfair working conditions, and on the periphery of the labour market (Atkinson, 1984; James & Walters, 2011). These degraded circumstances of work were apparent in most survey responses, regardless of the industry or work role.

Among the 62 percent of international student respondents who experienced some form of exploitation at work, only 2.5 percent had complained to a government authority of some kind³⁸. The primary reasons for not reporting incidences of exploitation were a fear of authority, potential loss of visa, and the need to keep their jobs. Most were also ambivalent about pursuing complaints, even if they were protected from repercussions such as deportation or visa cancellation, with only 19 percent answering that they would do so. Responses of a mistrust of government authorities was the primary reason for non-reporting. Given that the two largest groups of Indians and Chinese come from countries with high corruption levels and ‘kickbacks’ paid for services (Das, 2000; Quah, 2008; Wederman, 2004), this mistrust was understandable:

In our country (China) you stay away from the police, the other groups of government (enforcement). It would not be something you would do, to complain about a job. Work is hard to find here (in NZ). And I think they (labour inspectors) would not care about us.

“We (Indians) stay away from the police and authorities. It is not good to come to their attention.”

Some students interviewed mentioned hearing through students and community contacts not to report exploitation as in many cases they were breaching the conditions of their visa:

Some people have got deported when they have reported. I heard of one girl, she said the immigration were nice, they asked her a lot of questions, she thought they would help her. But they said she was illegal, too many hours. And she had to leave the country, lost money a lot of money, fees, deposits. (Sai).

“We (students) don’t want trouble, keep quiet, and do the study and work. No hassle, no trouble. Don’t want any problems for (potential) residency, for the future.” (Aarav).

³⁸ The relevant authorities seemed to be a source of some confusion: a number of those interviewed thought they could report to me as a government worker with presumed authority. My role also proved to be difficult in terms of interview recruitment.

At Stage 1A, 182 people reported breaches of hour restrictions or pay rates although only 164 respondents (or 46.5%) reported working in violation of New Zealand immigration regulations. Ruhs and Anderson (2006) employ the concept of semi-compliance, defined as "...migrants with valid leave to remain, but who are working in breach of some of the conditions attached to their immigration status" (p.2). They argue the effects of semi-compliance depend upon the extent to which employers (and migrants) are aware of the conditions attached to migrants' immigration status. Nonetheless, working over 20 hours or for less than minimum wages are both considered visa breaches.

Those working outside minimum work and visa conditions primarily reported working extra hours (55%) although 36 percent reported working for below minimum wage. The remaining 9 percent reported working for *cash-in-the-hand*. Exceeding the hours they are allowed to work as a condition of their visa immediately makes the international student liable for deportation as an illegal worker (Wilson, 2016). Although nearly 50 percent of the international students in the Stage 1A Survey fell within this 'illegal' category, they exhibited a high level of awareness of their visa conditions and in particular the restricted hours of work.³⁹

One could also assume that employers had some knowledge and understanding of the restricted hours of work under the international student visas given publicity campaigns and an increase in information available about penalties for non-compliance. Nonetheless, the literature posits that non-compliance is a complicit understanding between workers and employers/managers (see Anderson, 2008; Bloch & McKay, 2013; Guthman, 2004). A *collusion* of sorts, therefore, takes place where international students need work and employers need workers. In this research, international students make a choice, whether constrained or not, to accept conditions that are either in breach of New Zealand employment legislation or their immigration terms and conditions. The arrangements that take place may well be illegal (minima and OHS breaches) and immoral (poor quality work and conditions), but exposure to authorities is unlikely.

There is some research that suggests the decision to exploit by an employer depends on the capacity to do so. Supported by these research findings, it appears that employer-employee non-compliance depends largely on the likelihood of detection, as well as the certainty and severity of penalties imposed for infringements (Fenn & Veljanovski, 1988; Kirchler, 1999; Ruhs & Anderson, 2006). Carville (2016) argues that many migrants

³⁹ It is also printed on the Student Visa which is attached in a passport.

tolerate exploitation because of the power imbalance between them and their employers, limited options to go elsewhere for work, and the belief that their job might lead to permanent residency, supported by the findings in this study.

Honey from Migrant Action Trust felt that the community-based hiring combined with different employment norms overseas allowed employers to exploit workers who were not a priority as visitors:

I think we just have to say that, like, they have that kind of experience back home that they can just do whatever they want, like they are above the law so when they come to New Zealand, they still get that kind of mindset and because they've been doing it so long and because no one's blowing the whistle, so they thought they can continue doing it. Because it's not New Zealand citizens, they are not citizens of New Zealand, so it means that we can exploit anyone, everyone.

Some stakeholders mentioned that the capacity to exploit was due to the very low chance of being caught in New Zealand:

... as long as they find some opportunity in other places, they will actually build up their own branch or expand their businesses and because they were able to get away from it in the past, they will continue to behave that way. And I think even the labour inspectorate office, they also realise that it's not easy to prosecute a rogue employer. It will take a lot of time for you to build up the case. (D. Maga).

Co-ethnic exploitation was seen by some as simply a continuation of business owner practices that they had pursued in their countries of origin:

Because within ethnic communities there's that exploitation, but a lot of those people were migrants themselves, so they've come here, somehow made it or they own a business and then they choose to exploit again. Perhaps it's (exploitation) seen as sort of a rite of passage, that they just sort of say oh well it happened to me so bad luck? (Peter).

When discussing the levels of international student exploitation, there was widespread agreement that it wasn't just about measuring numbers in the labour market but looking at its impact in terms of reputation and industry sustainability, as well as morally:

I think to try and quantify is sort of difficult, but probably more important is what are the dimensions of the problem and whether it affects 10% or 15% or 7% is probably less relevant. If you think about, from a New Zealand point of view, what's the potential cost of reputation of even 1% or 2%, we should be treating it seriously. If it was a New Zealand working population we wouldn't be going, well, we're only going to deal with this if it's affecting 10% of New Zealanders. To me there's kind of a basic human rights issue, fundamentally,

and what it means for us to have a decent society. I think quantifying is more important in terms of targeting because you want to think about, say, where are you most likely to get bang for the buck if you want to tackle this stuff. (C. Smith).

The lack of agency for international students to rectify their poor working conditions through any official channel is of concern and is explored in further detail in Theme Four. The discovery of evidence of the spill-over from international student to a vulnerable migrant worker is explored in the following section.

8.6.7 Are International Students Vulnerable Workers?

As outlined in the literature review, including the theoretical models, and in the findings as well and discussion chapters, there are a number of ways in which the vulnerability of international students can be determined. It is argued that international students have a number of characteristics that may contribute to their vulnerability, for example, insecure work, poor wages and conditions, and limited employment choices. Poor health and safety and workplace exploitation were also evident among a significant minority, encompassing various forms of illegal labour practices summarised in Table 8.10. These findings are consistent with other studies. Reilly (2012), for example, concludes that international students are "...particularly vulnerable participants in the Australian workforce, as a result of their youth, their cultural and linguistic backgrounds, their insecure residence status, and their limited social and political power as non-citizens" (p. 187).

Further, it is argued that poorly paid, marginalised student migrant workers, who are employed precariously and often illegally, are not only vulnerable but their vulnerability increases as they become more desperate to fund their living and study costs – a finding supported by Allen and du Gay (1994); Anderson et al. (2006); and Wesley (2009). For many, job flexibility is simply coda for job instability (Houseman & Polivka, 2000). Also, as the findings in this section indicate, international students have unique characteristics that possibly make them more vulnerable than migrants and domestic workers, which again is an emerging theme in the literature. The vulnerability begins with the conditionality of a student visa, financial pressure, employment sources, and working characteristics. In particular, the rationale for restricting hours of work to ensure students focus on their studies may actually exacerbate the vulnerability of the international students as if students are found to have breached this restriction. This vulnerability type was particularly evident among the Indian sample who had educational loans, whether they were required to make repayments while studying or not. They could,

therefore, be considered the most vulnerable among the sample of international students - and this was a significant part of the research sample. Moreover, the transition from international student to a Post Study Work Visa indicates little progression in terms of job quality or improved working conditions (see Theme Five).

In short, the majority of students at Stages 1A and B experience working conditions that make them vulnerable and therefore they should be included in the definition of vulnerable workers. Additionally, recognising that student migrant workers are vulnerable is important, given that the New Zealand research has been very limited, and a significant portion conducted by this researcher. Further, that the experiences of working for many international students were exploitative indicates that government policy is ineffective or deficient. Theme Four addresses policymaking imperatives and responses in New Zealand and evaluates the success - or otherwise - of interventions. This section observes the existing regulation, monitoring and enforcement mechanisms for protecting international students as workers.

8.7 Theme Four: Regulation, Monitoring, and Enforcement Mechanisms

The arguments at the end of the 19th century remain familiar at the beginning of the 21st: exaggerated migrant numbers; the fear of hordes of Asians gathering...accusations that potential migrants are a fifth column of aliens... exaggerated tales of the occurrence of contagious disease, immorality, violence and crime among them; accusations by the labour movement that migrants are too compliant with the bosses; accusations by employers that migrants are too 'clannish' to provide a cheap and cooperative workforce... (Vrachnas et al. 2012, p.9).

Historically migrant labour has been used by the host country to fill skills shortages in times of economic prosperity, but unfortunately when economic and social conditions deteriorate, (as has been evident in the wake of the global financial and economic crises), they become redundant with little access to social protection (Cunningham-Parmeter, 2009; Davies & Horan, 2016). In many cases, migrant workers have been subjected to harassment and violence, blamed for rising unemployment and downward pressure on wages (Anderson et al., 2006; Clibborn & Wright, 2018). Such reactions may translate into a tightening of immigration policies, sometimes irrespective of actual or projected labour market needs. New Zealand is no different in this case, with continued reliance on migrants to fill various work categories, combined with the work conditionality of international students, presents challenges inherent in regulation, monitoring, and

enforcement, albeit among a group with already limited work rights and tightening permanent residency opportunities.

The following summarises the current legislative regime, including contradictions between a government desire to increase the value of the education sector (immigration) while constraining work rights of international students both during and post study (labour policy). This contradiction makes international student regulation potentially haphazard with inconsistent goals.

8.8 Regulation, Monitoring, and Enforcement

Both immigration and the employment of migrants have become contentious and polarising issues, used by various stakeholder groups to present diverging arguments about immigration numbers, visa categories, and migrant employment conditions. In New Zealand, the temporary nature of many work visas combined with the politicised nature of migration policy has demarcated migration types and opportunities dependent on visa types (Immigration NZ, 2018a; Bedford & Ho, 2006; Misra, 2007).

The ‘desired’ migrants have categories where some workers have streamlined processes for work and transition to permanent residency (Skilled Migrant Category and Residence from Work Category), while ‘undesired’ workers filling low-skilled and seasonal shortages have temporary categories only (RSE Scheme, working holiday visas). Moreover, although immigration policies are touted to “attract and retain international students” (Merwood, 2007, p. 6), the conditionality of the student visa in terms of validity, limited hours of work, and a less clear path to permanent residency than previously differentiates international students from other migrant categories. The key presumption in legislation is that the primary role for international students is that they are students first and foremost.

Non-standard precarious workers are excluded from much of New Zealand’s employment law framework. This means they do not have the ability to take paid sick leave, annual leave or bereavement leave. They also do not have the security of continued employment, a characteristic that is part of the ILO’s “decent work” agenda. Generally speaking, such a group of the labour market arguably requires the most statutory protection and security, yet the law provides quite the opposite (Hayward, 2013, p. 171).

Most migrants fill skills shortages in professional work, whereas international students congregate in low-skilled, low-value work – in direct contrast to the immigration policy

that is designed to attract highly skilled workers (Immigration NZ, 2018a). Contradictions in government policymaking for this sector makes international students a migration anomaly – largely well qualified, investing in New Zealand, but unable to find good-quality work in many cases, or to transition to better work following study (discussed further in sections 8.12-13). Moreover, as the only longer-term entry category that allows immediate work in low value sectors such as retail and hospitality, they are immediately segregated in terms of skilled work and progression opportunities. The categorising and siloing of international students manifest from their time of entry through to work transition.

Thus, they sit within a compromising and conflicting position and uneasily straddle the periphery of the labour market, do not report illegal work conditions, and are unlikely to be noticed (or perhaps cared about) by the general public due to their labour market invisibility. Furthermore, by filling jobs New Zealanders will often not do, they are essential migrants and yet are temporary and largely ignored. Moreover, no employment legislation in New Zealand recognises the potential vulnerability of international students as differing from migrants more generally. Indeed, following the Global Financial Crisis, the conservative National Coalition Government of 2008-17 developed a reform package of decreased public spending, restructured government departments (including the primary agency responsible for labour), and reduced public sector employment. This ideologically-based restructuring resulted in a further retreat of the state in areas where surveillance should be the norm – immigration and worker protection. The limited resources allocated to the New Zealand Labour Inspectorate (OECD, 2014), means that the rhetoric around employee protection, versus reality, is inconsistent.

The declining or static inspectorate numbers indicate a continuation and deepening of a largely self-regulatory model. Indeed, increased government authority presence in these areas is often debated as to whether there is a business case in terms of intervention. Nevertheless, when media reporting of significant cases of migrant, and, more specifically, international student exploitation began to increase around 2011/2012 (Francis & Field, 2011, Laxon, 2012; Wall & Maas, 2013; Tan, 2011), the Government at the time sought to stem negative publicity and ascertain the extent of the problem by conducting research and making some legislative changes (Woodhouse, 2013).

Although penalties for migrant exploitation were increased in 2013 and the new Labour-Coalition Government announced in 2018 greater enforcement of employment standards (Shaw, 2018 Fuatai, 2017), current regulatory oversight could be described as weak,

against the backdrop of decades of global labour market deregulation and treating migrant workers as a commodity to fill skills shortages. One also must question the validity of successive government labour market and employment interventions given that many of the international students in this study are exploited and employed illegally. It is evident there is a reliance on individuals to self-report and a situation whereby the Labour Inspectorate is reduced to focusing only on minima enforcement, while anticipating that *naming and shaming* the most severe cases of employment exploitation provides more weight to the enforcement mechanisms available, as well as deterrence (see Appendix Q for further information).

Craig Smith proposed that models of regulation needed to be rethought to have greater effectiveness in focus and outcomes:

Standard models of organisation don't work well for regulators because first and foremost regulators don't have customers, the people that the regulators focus on don't have choices, the issue is ensuring that market failure is dealt with through regulatory activity... regulators don't necessarily want their targets to be highly satisfied because part of their role is to create some dissatisfaction and disequilibrium in the system by tackling the stuff that people are not supposed to do. The same in the health and safety space, people kind of have an awareness that there's high vulnerability for migrant workers from a health and safety point of view but there's still not a huge amount of movement in terms of targeting that as a specific risk rather than a general one. (see Appendix R for further discussion).

It is evident that regulatory protection generated by the state at the national level is still dominated by the model of a standard employment relationship, at a time where the prevalence of this relationship is declining, especially for migrants (Berinstein et al., 2006). Further, although the enforcement of working conditions falls within the MBIE remit, as does immigration, there is limited evidence as to how effective the Labour Inspectorate is. Consequently, the ability of government agencies to mitigate and respond to the exploitative working conditions of international students has been limited. Current figures indicate the Labour Inspectorate capability is well below ILO recommendations. The low inspectorate numbers limit capacity to monitor and enforce regulations although the commitment to focusing on migrant exploitation is encouraging:

Obviously, it's a numbers game, the market growing, and they've got such few inspectors, it's definitely going to be a problem. But the thing I mentioned about being proactive, one of the smart moves I see is them, I've been in regular contact with two inspectors who actually ask me for updates on a regular basis – And I think if they're working with, I'm not sure what other agencies they're working

with, but I think that's a smart way, other than they trying to find the cases themselves. (Mark).

Nonetheless, while increasingly cases have been publicised, this may indicate the tip of an iceberg - where more people are coming forward, rather than more effective targeting of exploitative sectors. Indeed, some of those interviewed voiced concern over the limited cases taken on by the Labour Inspectorate to prosecution due to the extensive administration involved:

I described that as selective justice... but the point is that this is already a problematic but we're (labour inspectorate) are just choosing the few big cases ... I don't think the current numbers of the inspectorate right now will be able to resolve this problem, in fact based on my conversation with them one inspector can be stuck to one case 90% of his work (when investigating). (D. Maga).

The other compounding factor is the constant policy changes every time a new government is elected, often based on populist rather than researched approaches. To change the rules of the game when a student is midway through their studies alters the terms and conditions under which they have entered the country - and impacts on their future goals:

The issue about immigration and things like that, they change depending on where the government is sitting, it's unhelpful." (H. Rasalan).

It seems that the positive view of international students as beneficial while studying moves to treating them as a concern while on post study work visas. The avenues for permanent migration have been tightened, and the official policy position seems to be that there should be no expectation of permanent residency as an outcome of studying in New Zealand – despite contrary statements from overseas educational agents.

By drawing on the extant research findings outlined, it is possible to identify several key themes. Firstly, governments have tended to treat migrant labour as a disposable commodity, and legislation has had a limited focus on temporary worker protection. Initial findings indicate this is no different for international students who work, despite their primary role as a student. However, for the New Zealand government to increase protective mechanisms for international students, there would need to be:

- greater recognition there is a problem in how international students are protected by regulation, monitoring, and enforcement
- stronger attempts made to mitigate international student exploitation in the labour market.

Secondly, while attempts have been made to address minima breaches, the lack of trust from international students towards authorities has meant they are overwhelmingly reluctant to report exploitation (Section 5.8.3.4.), fearing what De Genova (2002) describes as ‘deportability’, again enforced by the state. The conflicting roles of the state wearing *multiple hats* of legislation-setting, monitoring, and enforcement, as well as pursuing their political imperatives, must also be critiqued. By politicising migration, the dominant focus becomes around numbers and categories, rather than ensuring that those who come to New Zealand are given realistic advice, are appropriately protected, and feel confident to raise concerns with the appropriate authorities. Recognition of the importance of non-partisan policymaking with appropriate monitoring and enforcement mechanisms is needed as it seems unclear what the government wants for this sector. On one hand, successive governments have legislated to grow the industry and potentially fill skills shortages through this avenue. On the other hand, monitoring and enforcement protocol has taken a hard line in terms of punishment of students working in breach of their visa conditions:

I would say I would even accuse the government, they are the number one human trafficker, because they allow this kind of policy to let people in, and these people get exploited in New Zealand, then they throw them out. (H. Rasalan).

Government inaction was mentioned by some stakeholders, where the sector’s value seemingly crowded out other concerns:

I think they’re quite apathetic about the whole thing. I don’t think they see it as, international students are practically living in their own world, like even if you look at high schools for example, the internationals have their own area, and they don’t really mix, so if you extend that to the wider New Zealand there’s not much consideration or interaction. (Mark).

I think there’s a political danger these days generally that marketing replaces political decision-making... Then if people like me say you’ve got to tell it truly, the marketers will say, no, because the numbers will decrease, or the other institution here will beat us for those people, and we’re competing, so we don’t want to say it like it is... Well, it doesn’t work like that. You might get a job in Auckland, but it might be packing a grocery store at 3 or 10 o’clock at night, it’s going to cost you more to get there on the train than what it’s worth, all those sorts of things, and if you come to Lincoln or Waikato, whatever, there may be no work at all. So, there is serious gaps in the story that is being told. (B. Lythe).

Observations on the current legislation and regulations led to discussion over recommendations for change in the protection of migrant workers and more specifically international students. Most mentioned was the need for greater regulation and

monitoring of those providing education services to international students. Criticisms were primarily focussed on the PTE sector:

I think if New Zealand really wants to provide quality education that is on par with world quality or something – first thing they have to cut down is the fly by nights, small PTEs... I think I can count on my fingers and my toes the number of students coming from Auckland universities that actually comes through my job search... but heaps of those are coming from the PTEs. (H. Rasalan).

...what I've been hearing from these PTEs is that they are now introducing different kinds of courses and that's what they've been selling overseas, so NZQA must be involved with that and questions the legitimacy of such courses, for example, before there was a course for business management, now there's a diploma for business management, I don't understand that. (D. Maga).

However, those involved in promoting the industry and harnessing its economic benefits took a different view. They propose that much of the growth has been positive and the sector only needed “nips and tucks”. One example was Grant McPherson of Education NZ:

Yeah, we're kind of selling, marketing, but we don't sign up a single student and we talk and think quite a bit about how far along that journey do we go before we deliver students to the door and say, here, there you go, all yours, you handle it now. So, we've got to work out, particularly in the online world, how we best get all that working as well as possible, as I say how far down that path do we go because we are a marketer who doesn't actually sell the product. And we're obviously really concerned about quality and the overall experience because that builds on New Zealand's reputation, but we don't, again, have those regulatory levers. It's all about relationships.

The viability of the export education sector in its current state was also subject to misgivings:

I can't understand how the government is so ignorant, so blind. Some of us have tried to tell them, your (researcher) research has been out there, and yet they market export education as a success. How? It's built on nothing. (Peter).

They don't see it as a crisis because they are just looking at the numbers, they're looking at the figures and they see, oh we brought in 2.5 billion to the economy and providing 30,000 jobs... it's like we have medical tourists and maybe student tourism. I tell you, if they will say that there is no pathway for students to get permanent residency, the numbers will plummet. (H. Rasalan).

While the regulation of international student immigration, visa conditions, and protective legislation has been presented in the literature in Chapter Three and discussed above, the

success (or otherwise) of such legislation can only be ascertained by monitoring its outcomes. In this sense, legislation has appeared confused and contradictory. Education NZ's goal has been to promote New Zealand as a study destination for international students, but this aim does not exist in isolation to other social, economic, and political conditions. Given the lack of trust in the employment institutions (labour and OHS inspectors, mediation, the Employment Relations Authority), the formal avenues that facilitate and strengthen worker protection are clearly unused by international students. due to trust, cost, and timeframes. Max Whitehead gave an example of international student difficulties in pursuing a case in New Zealand:

...they couldn't afford me, I was \$350 an hour, so I put them onto the Department of Labour, 'cos the Department of Labour is supposed to go down that track with the minimum wage, and I just found them reluctant to take the case on. I was even summoned to the Department of Labour, some of the managers flew in from Wellington to tell me off, that I'd been unreasonable in the media for criticising them. But a year or so later, the case still wasn't anywhere, and they'd never had their first hearing, and it was on the basis, oh, Max, we can't sort of get their evidence to coincide and be consistent, some of them have different stories to the others. I was thinking, surely a meeting with them either collectively or individually, 18 months ago, would have got that. I think I even said I could have had a hearing on this probably within 2 to 3 weeks of it actually occurring, or maybe 2 to 3 months.

Moreover, he felt that the limited ability of government agencies to enforce regulations was in part due to limited knowledge of the applicable legislation in some cases. He spoke of being contacted by a Department of Labour lawyer looking for evidence to see if the international students had done the hours that they'd claimed to have done. When Max said there was CCTV coverage within the shop, the lawyer said, "oh, we can't get that". Max suggested asking for the Employment Court to give an order to take the information, but the lawyer had not heard of this action:

Evident was that 1) they'd done nothing previously and this was strange territory for them, which means they've done nothing for years, and 2) their knowledge base was very, very low level, so no wonder these guys, and I got the feeling when I started complaining about the time it was taking, I got a lot of defensive arguments but they weren't very good, I just got the clear impression they were struggling to get the information together.. But justice was on their side, it was such a clear case, \$2 – 4 an hour when the minimum wage was \$13.75 at the time, it was so black and white to everyone else, except – just the law, it's clumsy and difficult, but our departments weren't equipped and I wonder if they are today and I don't know.

While the Immigration and Labour portfolios have the power to enforce migration compliance and employment standards, with their limited capacity it is timely to discuss the role that unions have in migrant advocacy and protection.

8.8.1 Union Representation

Although monitoring and oversight is and should be primarily conducted by government agencies, it is important to look at the trade union role as a voice for the international student workers and in highlighting weak enforcement and areas of exploitation. In this section, the union membership of international students in this research will be discussed. Following will be an analysis of trade union concerns when organising migrant workers along with analysis of their capacity to reach international students. With the realisation that insecure forms of work are not simply a short term response of employers to temporary economic problems but have become an entrenched feature of many firms' hiring strategies, unions have had to formulate new approaches to combat precarious work (Evans & Gibb, 2009).

The nature of union purpose cannot simply be read from what unions do, and is shaped, often implicitly, by other economic and social forces (Ellem & Franks, 2008). Employment reforms during the 1990s-2000s resulted in part in the decline of union representation, a scaling down of trade union collective agreements in terms of absolute numbers as well as the number of workers covered by collective agreements (Kranendonk & De Beer, 2016; NZCTU, 2013). These changes have in turn has limited the reach of unions into most sectors and lessened collective bargaining coverage. It was not surprising, therefore, that union representation and membership were extremely low among Stages 1A & B Survey respondents. While 86 respondents reported there was a union in their workplace, 214 reported there was not, and 53 said they were unsure. Only 13 of the sample were union members (3.7%), and 51 respondents professed not to know what a union was. That 60 percent of those studying reported no union presence in their workplaces, while 14 percent had no idea what a union was demonstrates that the ability of the union movement to gain access to and represent migrant workers is still limited.

Only 8.5 percent of the post-study international student cohort was represented by trade unions. Although membership numbers were small, this still represents a 230 percent increase from Stage 1B. Of note was that all of the union members were employed in the private sector, an area that has very low union membership. Further, a far greater number of the respondents (67%) were aware of union presence and all reported knowledge of what a union did. This may have been due to increasing time in New

Zealand and building greater knowledge of workplace culture and legislation. On further analysis of the survey findings, those who had studied for a degree-length course at both stages dominated union membership, while those working in the hospitality sector were the most likely to be union members. These findings contrast with the interview phase, where no one was a union member. This meant the researcher was unable to investigate these findings in further detail and therefore more research is required.

Some trade unions, however, have begun to respond to the lack of trade union representation among migrant workers. More recently UNITE and UNEMIG have had some success organising campaigns targeting migrant workers across hard-to-reach sectors including hospitality and fast food. This has involved new approaches, recognised by unions globally as a key to engaging migrant workers (Alberti et al, 2013; Oke, 2010). Recruitment and organisation activity has focused on inclusion and new linkages locally, regionally, nationally, and internationally in organising these new labour market entrants (UNEMIG, 2018). Nonetheless, union ability to organise across diffuse sectors is limited, and in the case of small businesses there is often no union cover, given limited organising capacity. The slow pace of union formation in service-oriented industries like retail means there are very few organised interests that can represent low-wage migrant workers, presents a special set of problems for labor unions attempting to organize this workforce (Martin et al., 2007).

Despite some trade union success in attracting international student workers, the trade unions still face a number of predicaments, including overall decline or static membership and stretched resources. Penninx and Roosblad (2000) also suggest that unions face conflicting interests – do they advocate for or against migration given the potential to alienate existing members fearful for their jobs? Do they try and recruit and organise these workers or overlook them given that these workers are often geographically and occupationally segmented? Finally, if immigrants are to be recruited, do organising strategies need to be culturally appropriate and will this require additional resources?

The problems of organising migrant workers, however, are part of ongoing trade union debates around organising workers in challenging sectors (Douglas et al., 2004; Gumbrell-McCormick & Hyman, 2012; Lucio & Perrett, 2009). The casualisation of the migrant labour force located in predominately non-unionised worksites is also a challenge and perpetuates a lack of awareness of trade unions by the international student workers. Indeed, the lack of union membership was due to some distrust by survey respondents.

Furthermore, some appeared to associate unions with an unwanted, intrusive authority could hinder their opportunities:

“What would they do for me? I have little money, part-time work, and am not a professional. What could they do to help?”

“Someone told me I should join a union, but my boss doesn’t like them. He told me it would not be helpful for me to join.”

Dennis Maga from First Union acknowledged that while reaching international students across diverse worksites was difficult, the union’s ability to influence was greater than in Australia, where the Temporary Skills Shortage Visa (TSS) permits a visa holder to live in Australia while working full-time for the sponsoring employer. Although New Zealand also has work visa sponsorship categories, he qualified that:

My main comparison is Australia, because the employers they were able to control the market and a lot of them have been relying on foreign labour. In fact, the union actually lost control in terms of the ability of the employer to choose foreign workers. In New Zealand right now at least, the union has some say though in a consultation or a consultative process. I fear that more and more we’re going to lose that privilege, not entitlement but privilege, and I think the New Zealand economy will evolve in that area that the low wage labour market will be simply dedicated to migrants and then the white-collar jobs will be for kiwis. (D. Maga).

Given the work sectors that international students in this research congregated in were jobs at the bottom of the labour market, of poor quality, with few progression opportunities, the labour market demarcation could already to be said to be occurring. The deficit of union membership means that in the sectors that have a high proportion of international student workers, trade union involvement is practically non-existent, particularly among those students working sole-charge and/or in small businesses. Combined with low union membership, representation and protection for these potentially vulnerable workers is compromised.

Martin et al. (2007) explored community-based organisations (CBOs) as a union alternative, increasingly recognising and responding to the labour market concerns faced by migrant workers. These organisations are often assisting in the job-search process, upgrading skills and education, and in redressing workplace disputes. In New Zealand, Migrant Action Trust in Auckland performs this role, as do other ethnic support organisations. Holgate et al. (2012) proposed that community-based social networks

could fill some role, but given that many international students were exploited within their communities, this connection is potentially fraught

The absence of access to alternative forms of justice in the employment space means that most additional approaches are likely to come from individual sector worker initiatives (Wallon, 2018) and, to a more limited extent, by unions' collective labour actions (Anderson & Tipples, 2014). Individual rights issues have little capacity to be addressed except within the confines of approaching the owner/manager directly and hoping for resolution, or through mediation channels. The seeming inability to influence working conditions, combined with a lack of opportunity for improving employment terms, is discussed in the following and final theme.

Theme Five: The Ability to Access Decent Work and Transition

While the aim of this thesis was to investigate the working experiences of international students, it became apparent that it was necessary to explore beyond the stage of working while studying and examine whether or not international students were transitioning to better work at the completion of their study to enable them to stay longer term in New Zealand. This section concludes the research findings with a discussion of Participant KSAs gained from working in New Zealand, job quality, and inclusion and exclusion of research participants. Followed is evidence of whether international students are able to transition to better work and stay in New Zealand. Finally, it will be asked whether international students are able to access *Decent Work*.

8.8.2 Participant KSAs Gained from Working in New Zealand

Although exploitation and poor treatment were emerging themes from this study, many of the international students were pragmatic about their working experiences, seeing their work experiences as necessary in order to progress to better jobs. In the Stage 1A Survey, most respondents felt they had benefited from working in New Zealand in terms of gaining communication and organisational skills as well as New Zealand work experience. Self-motivation, self-discipline and time-management capability also featured highly, followed by problem-solving ability, self-esteem, and confidence. A number of the respondents, however, reported that they had little chance to develop their decision-making skills, perhaps because they were in low entry-level jobs. Thirty-one respondents claimed gaining no positive attributes. Another 40 responses were generally

negative, in which answers included “*knowing what I don’t want to work as*” (23), and conflict resolution (14).

Most Post Study Work Visa holders also felt they had gained a number of skills from working in New Zealand during and after their study. New Zealand work experience, communication skills, and self-motivation were the most cited, followed by the ability to work with others and self-discipline. Decision-making capability and organisational skills, along with self-esteem/confidence, had much lower representation, while 15 respondents indicated they felt they had gained no attributes. Other responses included dealing with poor work conditions (28), “*sticking up to poor treatment*” (3) and dealing with racism (9):

“New Zealanders never talk to me... they look right through me. Then the parliament says we are (a) hassle. They say we take jobs. I don’t want these jobs but there is nothing else.”

“The customers look down on us like we are worth nothing. They talk down to us too, tell us we are slow and stupid. Not just the Chinese, the New Zealanders too.”

My boss, he is a European (New Zealander). He tells us he is not racist, will employ all nations. But he only employs young girls, Asian only. And he says we are silly and have nothing in our head- no brains.

“I thought the kiwis are nice people, friendly. But they are rude at the restaurant and treat us badly.

With a significant number of respondents reporting experiences of repetitive and menial work, Stage 1A participants were asked whether or not they liked their current or most recent job. While a slim majority (56%) were positive about their work, provisos were often linked to their pay, supervision, and workmates. At Stage 1B, respondent job satisfaction decreased, with 52 percent positive about their current job. This researcher felt that the positive responses were high given that the reported working conditions were poor. As a result, the interview phase sought more detail about job satisfaction. This question, however, provoked confusion, with a significant number not understanding the concept. Following clarification, while five out of twelve didn’t like their job, they felt it could be an avenue to better work, there was pride in doing their tasks well, or they knew of other international students who had worse work than them so shouldn’t complain:

“I like to be in charge, get everything organised and sorted. And I have learned new things. But I do get lonely, working alone.” (Chao).

*The work is so boring, so tiring. Working at *** makes me feel like I don't have any skills, any pride. It is work that has no future... I have been here for *** and every time I try to get a new job I can't... What else do I need? I have NZ experience now, know the EFTPOS and layby, returns. So, I apply for new jobs, even in other shops. But nothing so far. (Sunita).*

Emma was working a receptionist, where she had flexibility in terms of hours and days of work. She enjoyed her job and was paid well but recognised that many were less fortunate:

One of my friends, he works cleaning, doesn't get paid on time and has to work so fast. He always says I am lucky to have the work I do. I know I can find another job, one a bit better, if I want. A lot of my friends can't. (Emma).

While a majority of survey and interview respondents indicated that they liked their work despite poor pay and working conditions, it was necessary to examine in more detail whether or not they felt included in New Zealand workplaces, the findings of which will be discussed next.

8.9 Inclusion and Exclusion

Studies on migrant workers show that positive and ongoing interpersonal relationships with co-workers and with their employers can also have positive outcomes in terms of support for migrant workers, increased sociability (Morrison & Nolan, 2007), job satisfaction, and task performance (Lee & Ok, 2011; Nielsen, Jex, & Adams, 2000), perception of job significance (Mao et al., 2012), and organisational commitment. Walker and Wigfield (2004) note that a lack of collegiality and organisational connection had a negative impact on worker engagement in general, increasing stress and decreasing job satisfaction (Babin & Boles, 1996).

In this study, workplace friendships appear to be a strong indicator of inclusion. Nonetheless, only 37 percent of the responses from the Stage One Survey reported having a friend at work while studying, improving to 52 percent among those who were post study. Unsurprisingly, those who recorded having a friend at work were far more likely to report that they liked their work at both Stages One and Two of research. Those interviewed confirmed they saw work friends as an important social connection and for support. Some also said they felt close to their colleagues as they were also migrants:

"It is nice to know someone, to belong. The people I work with are happy to see me, always ask how I am. Most are like me, students, migrants. We look out for, help, each other." (Sai).

“I sometimes feel sad, lonely. I miss my family, friends. But my job, the staff look after me, give me leftovers (food) and I can have time off when I have assignments. They are like friends. They are friends.” (Naran).

“My supervisor, she is like my friend now, she looks out for me, you know... Gives me extra work, shifts that suit me better. She asks how I am, how school is, about my life. It is hard to meet people here, only my classmates I know. And her... my supervisor...”

Those interviewed who had work friendships were less likely to say they felt lonely or discriminated against- major outcomes from a (often) single relationship. While this was the only research question specifically relating to inclusion and exclusion, a strong thread running through all the research stages was that of international students feeling isolated, different, and some being the targets of racism. The lack of belonging and participation, as well as labour market legitimacy (through temporary and conditional status) were consistent with Jensen’s 1998 indicators. When widening the frame to community responses, racism was mentioned by several stakeholders, who felt that its impact was widespread. For example, Brian Lythe spoke of a black Commonwealth Scholar unable to find accommodation as well as a Papua New Guinean jailed on a minor offense (see Appendix R for further detail).

Dennis Maga voiced concern at the exclusion of Indian student women within the local community, furthering their potential vulnerability. As a significant part of the research sample, this should be cause for concern:

There’s been a number of Indian women who have come here, a lot of the time they are considered too old to marry so a failure in their country, their parents have spent their dowry money for them to study and a number of them already have qualifications, so they may have an undergraduate or a Master’s which may or may not have been recognised in New Zealand. But they’ve come here with an intention to stay on and found their role is very limited, particularly in the Indian community because of the structure of Indian society.

These emerging findings indicate there does appear to be a link between workplace satisfaction and friendship although this research remains relatively unexplored in the literature (Kelloway et al., 2008; Lee & Ok, 2011; Mao, 2006). While workplace friendships were not an effective counter to feelings of exclusion, those with workplace friendships also rated their job quality more highly, as presented in the following section.

8.10 Job Quality

The ability to measure job quality of international students has been discussed in the literature as well as being the focus of one of the theoretical models in Chapter Two (Vidal, 2013). At the beginning of this chapter, recategorisation was necessary because of the inconsistencies between job titles and the actual work undertaken. Unfortunately, job titles did not reflect the tasks undertaken, which were to a large extent low-wage, low-quality jobs with poor intrinsic rewards (Osterman & Shulman, 2011) at Stages 1A/B and Stage Two. While the categorisations of job quality varied, when assessed, most workers were working in positions that were menial and repetitive, low status, with generally conditions, and few opportunities for advancement (Clark, 1996). Workers also had limited control over their working hours and the volume of work. As Naran commented:

“I think that the managers and organisation like us. We are cheap and work hard.”

Kalleberg (2011) in Chapter Two, suggests an increasing polarisation of job quality — more ‘good jobs’ and more ‘bad jobs’, with a growing gap between them. The contributors to this demarcation within and between jobs are driven by multiple imperatives but one must be the desire to cut wages, given the high number of participants working for pay below the legal minima. An “agreement” of international students to engage in this type of work indicates a lack of choice, a desire to stay in New Zealand, and structural barriers that limit employment progression (discussed in greater detail in section 8.13). The quality of the job at the lower levels of the labour market where international students congregate was rarely ever good:

“I say I am like a robot. I do the same thing over and over. Serving then cleaning. And then repeat again. So boring.”

“I found work very stressful, taking money. The money was difficult, the customers. They talk so quick, then expect me to understand. Then they treat me like I’m stupid when I don’t understand.”

“This work is for people who know nothing at all. I have two degrees and five years’ experience in HR.” (32-year-old female working in a supermarket).

While questions for those at Stages One did not specifically focus on job quality, the interviews at Stage Two asked whether individuals felt they were able to question their working conditions or change work tasks. A complete lack of self-determination coupled with menial responsibilities was evident in the responses:

I work sole charge, alone every shift. But the work is not good... Restocking the shelves, a lot of cleaning, paperwork. I can't leave the shop, not for a toilet break, or lunch. The boss, she doesn't want me to eat there, says it would look messy. And there are cameras, she can check on me. (Feng).

Kiet reported feeling lonely and trapped, feeling excluded as well as alone. She was made to do additional work that was not in her employment contract:

The family I work for, they tell me many chores to do. They write lists every day so when the baby sleeps and she (other child) is at kindy, I do chores. When I went for the job, they said I would look after children, didn't tell me about the cleaning. When I don't get finished (sic) they get angry, say I am lazy. And if they are late, no extra pay, I just wait.

When asked whether she had questioned the change in her agreed conditions, she replied that she felt uncomfortable to do so. The isolation of her role combined with the power differential between her and her employer meant her autonomy was minimal. Further, her ability to have union representation was denied as she was sole charge in a home. This seeming lack of job quality of many respondents is indicative of employment reform across western economies, New Zealand included (Louie et al., 2006; Standing, 1999; Tucker, 2002). Initially the aim of workplace reform was to reconfigure job contents with a view to improving employees' job satisfaction and motivation by giving them greater control over their labour. Nonetheless, with declining union power and labour surpluses globally from the 1980s, "management interest in such initiatives went into rapid decline" (Durand, 1998, in Payne & Keep, 2003, p. 207).

In 2003, Payne and Keep argued that the United Kingdom had adopted a "low road" in employment quality for migrants less conducive with high-level skill use. Such work tends to limit transferability, offer little training, and are dominated by low wages-obvious characteristics of the international student work identified in this thesis. It was also evident that many of the jobs international students undertook cannot be improved in any significant way, nor do these jobs offer progression or a clearly defined career path. Work that is nonstandard, low paid, and precarious with limited opportunity is characteristic of the type of work that is *last choice* but has low barriers to entry. Being embarrassed about doing this low-skilled, menial type of work with a lack of status was evident among the international students working while studying, at the survey and interview phases:

”In my caste cleaning is forbidden. Dirty work is for others (castes). Until I moved (to NZ) I had never cleaned anything, never changed sheets. No dishwashing of the dishes”

“It (the work) made me angry. I would never work in these types of jobs at home, it would shame my family.”

It is shameful. I would never tell my parents (what I do). To work in a shop is not the sort of work my parents would want for me. They would tell me to come home... would ask ‘what am I doing?’. They think that it is better here, better than at home. But maybe when you get the (jobseekers) visa. I hope then I can move to something better. (Danh).

As discussed in Chapter Two, job characteristics may in fact signify good, bad, or decent work. absenteeism and high labour turnover and are often linked to Fordist/Taylorist production systems (Payne & Keep, 2003; Vidal, 2013). Using Vidal’s (2013) job quality measurements, international students were categorised according to the four classifications of wages, security, OTP, and work intensity (see Table 2.3 for further detail). Following, their ANZSIC06 Division job classifications were cross-checked with the occupation classifications (and data appendix pp. 606-09). The findings are summarised as follows:

Table 8.9. Post-Study International Student ‘Professional’ Job Categorisation

Labour process	Stage 1A Frequency (%)	Stage 1B Frequency (%)
Good (1-4)	2	11.5
Decent (5-9)	31.5	3
Bad (10-18)	66.5	85.5
Total	100	100

As can be seen from the table above, the jobs that international students congregate in are by their working characteristics, overwhelmingly bad jobs. This finding was consistent at both the Stages 1A/B survey.

At Stage 1A, of those working while studying, the jobs that were categorised as good (1-4) were characterised by wages, job security, some training, and low intensity. However, as can be seen, only two percent (or 7 respondents) a greater number of international students had security, OTP, and low intensity, but their job quality was less than the good categories due to low or illegal pay. While there was a growth in good jobs at Stage 1B,

these were among those who had managed to gain professional roles following study. Although wage levels were not asked for this group, the dominance of larger businesses combined with roles that required greater experience and/or education mean it could be assumed that the pay was reasonable. Opportunities for OTP, security, and low intensity were common features, indicating progression for some international students.

For labour processes 5-9, high wages were not dominant within this category as all were around or below minimum wage. This seeming disparity would seem to be a fundamental weakness in terms of measuring the job as being decent quality. However, most jobs are made up of different factors, of which pay is only one. The work classified as decent primarily had security, training, and low intensity. While autonomy was not generally high, some opportunities were evident. Surprising, at Stage 1B students post study, there was very little work that was considered decent at all- only four respondents of 130.

While bad jobs have the most categories within Vidal's framework (9-18), there is a hierarchy, where the very worst jobs sit within the higher numbers. Although two thirds of the 1A survey sample congregated here, those who had work intensity were often in sole charge positions or working in service sector roles such as nurse aides, hotel cleaning, restaurant dishwashers, or tutoring/marking. A disturbing trend was that for those 1B respondents working following study, the preponderance of bad jobs was extremely high- at 85.5%. This finding was unanticipated and saddening, as students had invested money, energy and time in New Zealand, only to be presented with work that was often degrading, poorly paid with little training, and temporal insecurity as temporary worker.

Work was more precarious for those with fewer options, and the frustration about lack of opportunities for progression was evident throughout Stages One and Two, discussed in detail in the next section.

8.11 Outcomes for International Students

In this section a more detailed examination of the different outcomes for international students working in New Zealand is presented. The experiences of international students working while studying or *in transition* on work visas were diverse, and at times contradictory. While most reported working conditions that were mundane, exploitative and/or illegal they also regarded working in New Zealand as providing them with essential skills, business acumen, and the necessary experience. Potential transition to residency forms a backdrop to the decisions made in terms of tertiary courses chosen,

work engaged in during and after education, and whether the education and work experience is compatible with the New Zealand Skills Shortage List.

Nevertheless, as noted previously, most workers at the survey post study (n = 130) and interview stages (n = 4) had jobs offering little progression, remuneration increases, or potential to stay in New Zealand under the legislative tightening of jobseeker visas (Devlin & Pullar-Strecker, 2018). While the occupational levels were recategorised by this researcher (see Tables 8.2 and 8.3), the key tasks and duties reported by the students were largely still menial and repetitive. Those who had obtained professional roles did indicate progression in some cases, evident among those who had studied degree-length courses in New Zealand in areas such as accounting, finance, and engineering. These represented a small portion of the total numbers: only 17 of 130 (13%), managers numbering 11 and professionals six. This was a smaller number than those who were on a Post Study Work Visa - Employer-Assisted (n = 24). Those who reported being managers were located in middle or lower positions within organisational hierarchies, with most employed as frontline managers in customer service roles (refer to Table 8.9.).

Students will now be eligible for open work visas for up to three years, depending on the level of study they complete- unlinked to their educational qualifications (Devlin & Pullar-Strecker, 2018).

Table 8.9. Post-Study International Student ‘Professional’ Job Categorisation

Job Categorisation	Number (n)
Customer Service Manager	7
Building Manager	4
Accounting/ Finance	9
IT	2
Engineering	4
Total	24

Although most respondents from Stages One and Two had tertiary qualifications and some had long work histories as well as New Zealand experience, it was evident they still faced a lack of progression into positions with higher pay or seniority. Only four respondents of 353 at Stage One received a pay increase in their current job, while 22 had

been given a promotion. For those post study, the ability to progress in terms of wage increases or position improvement was also the exception rather than the rule. When this concerning trend was examined in more detail at the interview stage, most felt the nature of the work, combined with their temporary migrant work status, gave them limited opportunities relative to the host population:

“I found my colleague was earning a lot more than me. I asked why, and they said I was lucky they gave me an opportunity, as a migrant.” (Sunita).

“They employed me but didn’t pay me right. When I asked why they told me it cost them to have me. They could get a New Zealander and I was more work. Paperwork.” (Alvin).

*When I had worked for one year for my boss, he said he would put up my pay to minimum wage and make me a supervisor (in ***) I was so happy, I worked so hard. Then the minimum wage went up, and he would not increase my pay, told me I was being greedy, and I was lucky to get (sic) promotion.* (Chao).

The original intention of the Post Study Work Visa - Employer-Assisted was to allow students to get relevant work experience in New Zealand, with the hope that they would be attractive to New Zealand employers. This in turn would give a pathway to residency for skilled migrant workers who trained in New Zealand. However, this visa allowed a darker side of New Zealand’s businesses to emerge. Migrants on this visa were tied to the employer and did not have the option to leave if they were being mistreated. Multiple employers breached their employment obligations to these migrant workers, who felt that they could not speak out for fear of losing their job and right to remain in New Zealand.

For example, this year the Employment Relations Authority ordered Shalini Limited to pay \$96,542 in minimum wage and holiday pay arrears to seven migrant workers. The company was also ordered to pay \$100,000 in penalties after a 2017 investigation by the Labour Inspectorate. The migrant workers consistently worked long hours and did not receive their minimum wage and holiday pay entitlements, while two had employer-linked work visas. Since 2012, more than 60 investigations into liquor retail businesses have been completed by the Inspectorate, including those trading under large franchise brands (Foxcroft, 2019).

While the employer-linked visa has been removed in the raft of changes in 2018, this is unlikely to improve work outcomes. The job/qualification link is removed, international students remain employed in substandard jobs, often trapped there by national

immigration policies that sharply circumscribe the labour market opportunities. The lack of support for international students following study was criticised by some stakeholders:

I think the New Zealand government should take more responsibility in terms of supporting international students and just not let the school provide, the education providers, take all the responsibility because again I also understand that education providers is responsible only until you get a degree and that is it... a lot of students coming in are young people, they are easily swayed to do things, and being away from family, no support system at all, and just imagine what is New Zealand's impact on their lives... (H. Rasalan).

Basically, once you graduate that's it. You don't have that kind of support mechanism and then I ask them don't they have like an employment liaison or something in your school and they say, the nearest they can help us is, okay there's a computer, go to Seek, TradeMe find a job there. (Peter).

The point is that, the reason why you are having that education is to improve skills that you will be able to use in order for you not to get residency. Or to fill skills shortages by qualified people who are able to stay. So, what is happening, it's actually more commercialisation of education, selling that for international markets and I am quite worried about that because the more you are opening your country to that kind of scheme the more you are also opening that kind of exploitation in your country. (D. Maga).

May Moncur was knowledgeable about the problems for migrants in finding work, having arrived as a migrant and through her current work. She spoke of these labour market barriers:

So how do you go around looking for work when you know that being a migrant yourself is a barrier... they tried so hard, but you know rejection after rejection actually takes a toll sometimes... it is highly competitive out there, it's not about the skills anymore right now, because there is a lot of skilled people out there...

Considerable frustration was voiced by international student about the lack of access to good quality jobs:

I want a good job. My job is worse than what I had before I came to New Zealand (3 years ago). Maybe I need more experience, but it feels like a backward step. The cost (of living) in Auckland is so high, it almost makes me think that it would be better (in Beijing). But I have invested so much here. (Camille).

I never worked before. I thought that there would be good jobs for me- that's what they (immigration agents) said. In my caste you will get a job just because. Here I can't find much. I have a waiter job, but they might close, and I don't know what I would do then. I would never do that job in my country. (Aarav).

Peter, the Immigration NZ agent, voiced concern for those negotiating work after study:

The post work visas need better support, the stories I hear are terrible... They are treated like they are noting, paid badly and they employers know they need them. That job letter, it's the golden ticket. If they get it, everything changes. They have a future, a life here. But it's a lottery.

I: *What do you mean?*

P: *"It's luck and money and how much someone will take. Forget the skills shortage list, most of them are not on it really. Maybe not totally luck, dollars and the avenues you have."*

He also reported widespread rorting of the system to gain work visas:

So, we get 'managers'- all types. If you look at the applications; they are all managers. It fits the skills shortage and allows them to stay. So, we sign them off; knowing they aren't managers. The offices have shelves full of applications; all managers. A policy guy from Wellington, came to Auckland... I tried to show him and say; this is a problem here in Auckland".

One Stage Two respondent paid for a job letter to gain a visa through the Skills Shortage List. He continued working for his employer while trying to find work that would align with his area of study and was paid at a professional wage level:

I paid for the job letter - \$10,000. It was a manager job in a company I only visited for payment. He took the money, but it was hard to get information (about the company). I had to know things for Immigration interview... I was so worried I wouldn't get it (the visa). Cos, really the information (I gave) was not enough.

While this had given him more time in New Zealand, there was no guarantee that this would lead to ongoing leave to remain, something he acknowledged. Nonetheless, having invested a large amount of money, he saw the falsification of his work as an investment in his future. May Moncur understood why some students would consider this option:

... I think that's the part they (the government) have overlooked. Say for example, I came to study in New Zealand a bachelor's degree, so it cost me tuition fees 60 grand plus, plus, plus. So, in total I have invested almost -\$100,000. What is an extra 35 grand more, for example - to pay to stay and get permanent residency? So that's actually where a lot of people who are desperate, in a dire situation, are thinking. They think of it like an investment.

Although those at the post-study level could be considered a partial success as they have managed to navigate complex immigration and employment systems and gained ongoing work, there is no permanence for them unless they can extend their visa, get a job on the Skills Shortage List, or marry a New Zealander (Immigration NZ, 2018a, 2017). Dennis

Maga felt that while education was an avenue to gain residency, the diploma qualification most respondents were undertaking in this sample was not conducive to longer term options for students, “*A year long diploma at a low level ain’t gonna get you nothing.*”

This was an opinion agreed with by others, viewing education as a way to enter and work in New Zealand, but no with guarantee of better prospects:

I think the reality is that it’s a back-door entry, or an indirect entry into permanent residency, and yet we don’t talk about it. Oh yes, the quality of our education system, we’ve got more students each year. Basically, I had an online survey saying why did you come to New Zealand, 90-something percent – ‘cos they want to transition to residency. And this is the way they’re seeing of course that they’re doing it but if they’re doing a Level 6 or 7 qualification at some dodgy place and the qualification hasn’t been explained to them so it’s not really worth anything, they get here, suddenly they’re having to work as well to pay back costs, there are doing a programme that is worth very little and they will stay here and work in really poor illegal work simply to stay here. (K. Lal).

I would say in some cases, for example, those students that are studying like degrees on the long-term shortage list they don’t have issues because it’s in the long-term shortage list. However, the majority of them are enrolled in this business degree, marketing degree, international business, and as a requirement for them to become a resident they need to get a managerial job and so okay, you’ve got heaps of these business management post grads waiting, and yes, they can find a job but it is not at a managerial level which is a requirement to get their residency. (H. Rasalan).

Although most students aimed to gain permanent residency and some rationally chose education courses that were linked to skills shortages, the ability to access better work was difficult:

The questions that come up from the students, I’ve done an accounting degree, is that going to qualify as a job? It’s got to be a job that the immigration end of things can see some prospects, so if the bank says to you, we’ll take you on a teller, there is a progression in a bank, so we’ll buy into that. But if you’ve done a degree in music and you end up doing rubbish bins on the street, it’s not going to connect (B. Lythe, personal communication, 2018).

Grant McPherson defended the view that undertaking education in New Zealand simply allowed students the means for a less complicated entry into the labour market:

...because there have been instances where probably the path to residency has been sort of over-sold, or sold as the –

I: *Yes, I’ve heard a few of those stories.*

P: *The back-door entry kind of thing, and we want to ensure that, yeah, as I say, people know exactly what the possibilities and the constraints are.*

The interviewer then reported that in research findings, the number one response was that international students came to New Zealand seeking permanent residency:

P: *I think we've got to be realistic about that. There are some markets, some countries, for which residency is a big priority, India, Philippines is perhaps in that category as well. So, we've got to understand that, and from New Zealand's point of view international education is potentially a pathway for an agreed set of skilled migrants in areas that New Zealand needs. If international education is contributing to that, lifting skill areas in sectors where it's needed, that's a great thing,*

Most other stakeholders didn't agree that international students were necessarily lifting skill levels or filling skilled worker shortages, often speaking of a proverbial *race to the bottom*. Some stakeholders felt that the inability to transition related was to poor skills match up between qualifications and skills shortages: *The skills match up doesn't quite work - there's a lot of rubbing of those qualifications to try and get that permanent residency.* (M. Whitehead).

Peter felt that his employer Immigration NZ exacerbated the issues inherent in international student migration and employment by failing to correct obvious structural inequalities:

The system is corrupt. We all know that the market is broken, these people (international students) are not getting good jobs and their long-term opportunities are poor. But we clip the ticket at every stage, and they hope they make it out the other side. And maybe they will, some are lucky.

Sixty-nine percent of Stage One survey respondents intended to stay in New Zealand, consistent with the study motivation findings explored in Section 5.4.1. Of the Stage Two respondents, 120 of 130 (92%) said they intended to stay — perhaps obvious, given they had already transitioned to working. Key reasons for staying were perceived low crime and corruption, natural environment, friendly people, job advantages, and good employment practices. Freeform comments indicated many had pragmatically *traded off* certain conditions such as higher wages and better jobs in their home countries to live and work in New Zealand - with the expectation that their opportunities would improve over time. Of those intending to return home, most cited a lack of opportunity and poor working experiences:

“It’s like a game where the cards are stacked. A game where you try but nothing you do makes a difference.”

“It is very hard to get jobs that will allow me to build a future. I always wished to stay here and planned that I would. But now it seems that it will be too difficult.”

“The people are nice here, so much nicer. But I don’t know if I will get the job (I want). But it’s not just a job, it’s the life here. The country, the places to go. I think it would be a good life here.”

When asked whether they would recommend studying and working in New Zealand to family and friends, the response was mixed. While the majority (54%) said yes, a significant number (46%) did not agree or were unsure. There was a strong correlation between those who had chosen to stay recommending the experience, whereas those who were disappointed with their opportunities and progress and were leaving were more likely to indicate a negative view. The survey and interviews did not explore the motivations for leaving New Zealand but given the high proportion intending to stay at both research phases, it can be assumed that the decision to leave was not made lightly. Looking at the motivations to study in New Zealand further reinforces that the intention to gain residency was a primary motivator. To be unable to transition to work that was eligible for longer-term visas meant that they would have to leave the country.

The final question asked whether studying in New Zealand was a *good deal*. This was intentionally undefined for respondents to define what a good deal was for them. At Stage 1A, the responses were mixed, where while 71% agreed, 29% disagreed or were unsure. This positive response totalled over two-thirds of the sample, seemingly indicating a high satisfaction level among international students with New Zealand overall, despite some concerning trends indicated. At Stage 1B, 82 of 130 (63%) felt that studying in New Zealand was a *good deal*. Given that the research findings indicated an interconnection between education and labour provision, it was necessary to evaluate whether international students were able to access *Decent Work*, discussed next.

8.12 Can International Students Access Decent Work?

In the “new era of mobility” with its indistinct limitations between different types of movement (Bedford & Ho, 2006, p. 52), the growth in New Zealand has been temporary migration, where temporary migrants arrive on visitor, work, and student visas. The temporary and path-dependent nature of many visas have changed from permanent migration as an entry point, to transition between visa categories when meeting points

requirements. International students form a significant proportion of these migrants (ENZ, 2018, 2018a).

With the previous research findings indicating significant areas of concern for international students, as well job categorisations being dominated by bad work, it was timely to ask whether international students' working experiences are aligned with the ILO's Decent Work guidelines (as outlined in Chapter Three). An absence of income fairness or security, insecurity through their migration category, lack of personal development in terms of opportunities for progression, social exclusion, inequality of opportunity, marginalised work status, inability to access social protection or representation – the deficit list goes on. A lack of collective representation or opportunities for participation undermines tripartism, while no voting rights for international students mean decisions are made for this group with little ability for them to have input into their own working lives and potential progression.

Although a significant portion of international students in this study had employment terms and conditions that were non-standard and precarious, it is unlikely that they would complain about exploitative and/or illegal treatment (see Section 8.6.6). This is a continuing access to justice problem in New Zealand, where the onus is on the individual worker to bring a claim proving the claim, often taking significant time and financial investment (New Zealand Work Research Institute & Centre for Labour, Employment and Work, 2019). Given the weaknesses in protective legislation, monitoring, and enforcement the researcher has previously queried whether the Decent Work Agenda and associated conventions can be translated into sustained and more effective promotion of international labour standards, and whether the ILO actually has scope and reach in mitigating concerns associated with international student labour (Anderson & Tipples, 2014). Elliot (2000) contends that the answer ultimately depends on whether the commitment to the ILO's goals is more than skin-deep for member states.

Although the ILO advocates a 'best practice model' of legislative compliance, its reach is weakened by the need to ensure 'buy in' from countries to apply labour standards, while the ratification and application is uneven. Further, a country's domestic policies interpret ILO legislation as they see fit, meaning that, while there may be moves towards convergence in legislative adoption, there is a divergence in the understanding, scope, and practice of legislation (Rodgers, 2007; Sargeant & Ori, 2013; Vrachnas et al., 2012). Therefore, the rhetoric of multilateral governance is countered by the continued primacy of domestic, governments have tended to treat migrant labour as a temporary and often

ignored section of the labour market, pursuing policies that are populist and destabilising for migrant workers (Anderson, 2008; Jones, 2017).

While New Zealand has been a signatory to most ILO conventions, it is evident in this research that in a number of areas there is non-compliance and inconsistent regulation, which predisposes international students to experience working conditions that cannot be described as *Decent Work* (ILO, 2018): Moreover, the lack of resolve by most governments, including New Zealand, to either ratify or enforce the ILO Conventions or enact related regulations remains a significant barrier to universal protection of international student workers

This migrant workforce is economically essential but without comprehensive rights: a paradoxical situation exacerbated by unemployment and foreign workers existing side-by-side. Guthman (2004) contends that worker vulnerability ensures compliance in the labour force, where those working in marginalised conditions are unlikely to complain. Nonetheless, with New Zealand revisiting the ILO Convention concerning freedom of association and the right to collectively organise (CO87), it is a potential avenue that may offer greater protection for international students (ILO, 2018). However, with low union density and reach, it is unlikely these conventions will successfully address the myriad of employment issues associated with international students, nor would it be likely that ILO ratification would be a panacea given its ignoring of international students. Nevertheless, while ILO standards underscore the linkage between domestic employment frameworks and international protective mechanisms, they are aspirational, not binding. Combined with a lack of monitoring and enforcement of labour regulations, perhaps the ILO continues to be an institution of compromise within a flawed mechanism (Alston, (2005).

8.13 A Framework for Understanding International Students Working?

Chapter Two presented the models that could potentially explain international students working and associated phenomena, beginning with their decision to travel for study, through to measurements of job quality. These have been referred to throughout the thesis and used when appropriate to explain concepts or ideas. This section briefly summarises the theoretical application to the findings contained in this chapter.

The *Push-pull Factors Model* looked at the factors that ‘push’ a student away from their home country and ‘pull’ to another. The ability to work while studying, immigration law, and potential to have ongoing work is particularly prescient, given that students were

choosing their study destination based on these factors, among others. Economic rewards over time such as improved prospects for future employment and higher income earnings were the dominant motivation, while pull factors were perceptions of the study destination in terms of providing education and opportunities. This view will have in part been formed through ‘word-of-mouth’ recommendations. Students will consider the costs of international study, weighing up the returns they want from their investment. This includes the study ‘climate’ and lifestyle in the host country, plus distance to their home country. If students know there is an established ethnic community, they may feel more comfortable about the host country- although the communities in this research often provided poor quality jobs that international students felt tied to.

Atkinson (1984). Manpower Strategies for Flexible Organisations explains worker demarcation between the core and periphery. This bi-modal distribution has a large share new jobs concentrated at the low end of terms and conditions, particularly those in the shadow zones of the informal economy (Doussard & Theodore 2006). Jobs that sit within the core offer decent work, opportunities for training and progression, are fairly paid, and offer functional flexibility where workers are well education and can fill different positions. In contrast, those at the periphery are less protected, valued, or given progression opportunities. ‘Core-periphery’ or ‘flexible firms’ use contingent workers to buffer their most valuable, core workers from fluctuations in supply and demand. (Kalleberg 2009, p.13).

International students sit within both peripheral markets as they are in the secondary (internal) labour market and are part-time and temporary workers. Their jobs offer both numerical and functional flexibility, in which the restructuring of internal labour markets and lowering internal labour costs (‘headcount costs’) are associated with organizations externally shifting recruitment, training and on-costs to the temporary workers (Burgess et al., 2005). It is evident from these research findings that labour market segmentation restricts social mobility and generates internal boundaries within the workforce. This affects international students both during and after study, where the lack of transition to better jobs indicates they remain on the periphery. Much of the work they do is necessary but not recognised as essential skills by the immigration categories: peripheral conditions for core workers (INZ, 2018a):

All too often, migrants are constrained in unattractive sectors of the economy and left to do the dirty work, in conditions characterised by precariousness, low wages and inexistent future perspectives. This reinforces their exclusion and generates a

‘ghettoisation’ of the society that jeopardises the even distribution of its resources and opportunities to all its members (Pécoud & de Guchteneire, 2004, p. 17).

Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia sought to measure employment quality in Australia (see Section 2.5). When looking at international students, all the forms of labour insecurity are experienced within the cohort. As discussed in the two models previously, they are subject to functional insecurity, where the job content can be altered or redefined, as well as employment insecurity due to co-ethnic hiring and a high number working under illegal conditions. A high percentage of workers are paid at or below minimum wage, underpayment for hours done, and are working in largely unregulated and underenforced employment environments, work, income, and working-time insecurity is evident. As temporary visitors to New Zealand, international students are not entitled to social benefits and are required to have travel insurance for the duration of their stay. The lack of union representation combined with low calibre jobs requiring little training clearly shows that international students are precariously employed.

Sargeant and Tucker (2009). Layers of Vulnerability in Occupational Safety and Health for Migrant Workers: Case Studies from Canada and the UK is the only framework specific to migrant workers. Again, international students are represented strongly in each layer, building to high vulnerability by Layer 4. At Layer 1, the receiving countries factors of relevance are the sectors of employment, levels of precarity and non-compliance, extremely limited union presence and membership, weak regulatory protection, feelings of exclusion, and the role of community in both engendering exploitation, as well as offering information and protection. Layer 2 shows that international students have only temporary status in their receiving country, visa limitations, and the right to remain conditional on study and then being employed. The right to remain has been weakened by recent legislative changes that have circumscribed the options for many. Education agents were mentioned as having a strong role in misrepresenting the opportunities New Zealand would afford.

Layer 3 looks at migrant worker factors, where the two largest groups of Indian and Chinese students were seeking greater opportunity than was available in their home countries. The groups as a whole, and especially the Indian cohort, had high levels of education and often some work experience. Nonetheless, their access to decent work was extremely restricted. Further, many in the Indian group were paying back education loans or remittances, increasing the pressure to obtain and keep employment. When looking at occupational health and safety and worker wellbeing, there seemed little commitment by business owners or managers, given that illegal working conditions were pervasive. While many workplaces were not high risk, there was limited worker training of involvement in OHS. All these factors add to high vulnerability for international student workers.

The final theoretical framework was *Low-Autonomy Work and Bad Jobs in Postfordist Capitalism* by Vidal (2013). This has been used in Section 8.11 to measure the job quality of international students, finding that when quantified by job characteristics, work during study and at the post study work visa stage was 'bad work'. International students overwhelmingly congregate in jobs of poor quality, low pay, and little opportunity for progression.

8.14 Conclusion

Five themes emerged from the research findings and have been discussed in this chapter. Firstly, international student characteristics shows that ethnicity, age, and gender had an impact on which international students chose to undertake overseas study. Theme Two looked at work and study, where key findings were that ability to ty in New Zealand was the primary motivation for overseas study, education quality and pastoral care was oft complained about, work was needed for financial and experience reasons, work was primarily obtained by personal contacts, and many were employed within their own ethnic communities.. Students did not report a conflict between their work and study, however, stakeholders felt that many students were compromised with working and study and had financial pressures that made them potentially vulnerable.

Theme Three showed that international students during and post study worked primarily in the service sector, in businesses of all sizes. Most reported having an employment contract, and there was high employment legislation awareness. However, many were poorly or illegally paid, working hours above their visa requirements while studying. Work progression was an exception, where many felt they were working in jobs below

their experience or skill level. OHS was not a significant concern, although some reported a lack of training, no protective equipment, and some workplace injuries. These findings were discussed by the stakeholders with concern, particularly around illegal working conditions, work characteristics, and co-ethnic exploitation.

Theme Four evaluated the regulatory framework and its effectiveness, finding that inadequate monitoring and a low number of labour and immigration inspectors limited the effectiveness of legislation. Moreover, the restricted capacity to enforce meant that the potential of exploitative employers to be caught would rely largely on individual reporting. Given the mistrust of authorities, this approach is highly unlikely. Some unions have organised in the migrant worker space to attempt to address regulatory weaknesses. Stakeholders had strong opinions about the usefulness of current regulation and enforcement mechanisms, most posing that the lack of capacity had a major impact on enabling illegal treatment of international student workers.

The final theme, Theme Five looked at the KSAs that felt they had gained while studying in New Zealand, along with exploring inclusion and exclusion. Feelings of loneliness and racism were mentioned, along with overwhelming evidence that job quality was poor at Stages 1A/B. The lack of opportunity was evident in the investigation relating to students following study completion. A summary of the theoretical applications of the models to the findings was then presented.

Chapter Nine: Conceptual Frameworks and Conclusion

9.1 Introduction

The *working experiences* of international students while studying is of increasing significance, in New Zealand and internationally. Despite this growing interest, there is little New Zealand investigation of the working experiences of international students, and the existing research has been often disseminated by this researcher (Anderson and Naidu, 2009; Anderson et al., 2012; Anderson & Tipples, 2014). The findings indicate that international students experience poor working terms and conditions and inferior job quality when compared to migrants more generally as well as host-country nationals (Baas, 2006; Nyland et al., 2009). Further, their categorisation as contingent temporary workers in legislation creates various limitations when seeking to improve their working lives. Given the growing domestic concern about migrant exploitation and vulnerability, this exploratory study looked to focus on *individual* employment experiences to indicate trends.

Five different models (refer to Chapter Two) provided frameworks for understanding international student motivations and working experiences. Five themes emerged through these frameworks, the literature, and research data. These were:

- participant characteristics
- migrant employment norms
- employment arrangements
- regulation, monitoring and enforcement mechanisms
- challenges of transition and access to Decent Work.

These themes encapsulated the working experiences of international students and related subject areas and were beneficial in answering the key research questions.

This chapter also provides an overall review and conclusion of the key findings from the three research phases and considers the methodological limitations and implications of the findings in directing future research. Finally, development of a model to encapsulate the research conclusions is presented. The significant findings are presented below.

9.2 Summary of Research Findings

The contradictions about how international students' study, live, and work are inherent in this debate. The findings of this research are that many are indebted consumers rather than engaged learners, and their labour is a commodity to be sold, bought and traded. Moreover, some are high skill workers in low skill areas and their temporary migration is more indicative of adverse outcomes due to lack of protective mechanisms than their lack of qualifications and skill.

The research findings show that for many of the participants the exposure to poor working experiences began at the time of selecting a study destination. Promises by educational agents of easy access to work and high wages, along with the potential for permanent residency, were strong motivations to come to New Zealand. For a significant portion, educational loans needing immediate repayment meant students were under pressure to gain work quickly – whatever the quality. Difficulties in gaining work set the stage for international student vulnerability and heightened potential for exploitation. This study also recognises that migrants will “trade off” good working conditions with financial need or to gain the must-desired *New Zealand work experience*. Survey findings identified that a significant proportion of international students were working in environments typified by low-quality jobs and illegal and/or exploitative conditions, largely co-ethnic.

While occupational health and safety was generally reported as good, when encompassing psychosocial factors, the findings revealed that there was little social support or transition to better job quality. At Stages One and Two, many of the participants were ambivalent about job satisfaction and whether they liked their jobs. Nevertheless, most reported gaining some positive KSAs from working in New Zealand and were adamant they would not complain to authorities regardless of whether they would be protected in exchange for information. They cited perceived corruption of government officials and fear of deportation to be the primary reasons for this reluctance to report.

Interviews to further investigate employment experiences showed some concerning employment experiences, typified by low pay, casual working hours, and a lack of training. Reports of racism, loneliness, and unfulfilled promises of visa-sponsorship or job progression brought feelings of sadness and frustration to the fore. That a majority of respondents at both Stages One and Two had tertiary qualifications *prior* to entry into

New Zealand but were engaged in menial work below their education and experience levels indicates that international students must be included in vulnerable worker debates.

Key stakeholders' views on the international students' education and work experiences in New Zealand were in the main very similar. Those in an advocacy role criticised both employment and immigration policy settings as factors that potentially led to labour market demarcation and exploitation. Indeed, the current legal framework was criticised by some as increasing exploitation for many migrants, and in need of reform. They perceived policy-making as reactive and discriminatory and justifications to have little empirical evidence and lacking rigour. In particular, union and migrant advocacy groups were dissatisfied with the differences in allowed working hours and lack of representation between international students and host country nationals.

The two respondents involved in business advocacy in terms of the marketing of education and promotion of business interests had conflicting opinions, where one felt the sector was generally performing well, while the other saw it as essentially unsustainable. This finding was emblematic of some of the variety of views about how international students should be recruited, educated, and protected as well as their longer-term role in New Zealand's labour market. As explained in Chapter Two, while the international education sector has been encouraged by successive government policies, less focus has been concentrated on international student outcomes or education quality.

In addition, those stakeholders who represented organisations with an interest in and/or expertise in migrant workers often gave examples of poor treatment and occupational health and safety risks international students had experienced. This provided further context for the employment environments where international students congregate, in addition to other risk factors identified in the literature. The stakeholder interviews were particularly valuable as they provided a comparison between other migrant workers' experiences and the experiences of international students. Although not acknowledged by the ILO as differing from migrants more generally, the findings showed that international students exhibit all the vulnerabilities that migrant workers have in the labour market, with additional features of age, temporary work status, non-professional work roles, and a seeming inability to transition to Decent Work.

Moreover, a slow and steady erosion of permanent migration avenues and dominant western models of migration that rank migrants to their ability to provide effective human capital has led to what Somers (2008) refers to as the "contractualization of citizenship."

The use of education as a *legitimate* entry point into the New Zealand means there are inconsistencies between education, immigration, and employment policies. Given that many of the international students are employed in substandard work, the role of tertiary education as a source of skilled migrants is unclear and therefore there is a need for further debate. The pragmatism of international students in accepting low-value, tertiary education courses, poor-quality jobs and exploitative working conditions during and following their study indicates that the education sector is not functioning appropriately in providing courses that will improve employment prospects and fill skills shortages.

It appears that a primary indicator of international student worker power is whether international students can obtain work outside their ethnic communities and build their own employment opportunities. Proposed is that extrication from such relationships gives greater autonomy for the student workers but often places word-of-mouth reputations and social relationships at risk for those who choose to disconnect.

9.3 Implications for Legislation, Monitoring, and Enforcement

These research findings have shown numerous areas of concern for regulators and enforcement authorities. The reach of domestic policy and associated inspectorates have been discussed in the previous themes, indicating compromised and less than cohesive policymaking. The politicisation of migrant entry, along with changing export education imperatives, has meant that there is a less clear pathway to permanent residency than before. With New Zealand heavily reliant on export education industry it stands to reason that protection of the industry is paramount. However, to date, this has not included increasing protection for international students, with often punitive enforcement. It is therefore not surprising that international students would be extremely unlikely to report their mistreatment to authorities.

This thesis aimed to identify policy imperatives and their impact on experiences of international students working while studying and after transitioning to a post-study work visa. While protective employment legislation applies to all those working in New Zealand, international students are subject to the vagaries of changing immigration policies and are contingent workers by their entry category. Moreover, they can be considered precarious by the conditional nature of their immigration status and limited work rights. This conditionality appears to have a significant impact on the working lives of international students, from the recruitment phase, to gaining work, finally to looking for advancement opportunities. While systemic prejudice may be addressed in part by

protective legislation (for example, the Human Rights Act, 1992), with the onus on workers to report discrimination, and limited redress available for employer breaches, as well as a lack of knowledge of New Zealand legislation means this is unlikely.

Moreover, the lack of labour and health and safety inspectors, together with the geographic spread and nature of small businesses, provides limited capacity for enforcing illegal employer behaviour. This weakness was signposted in the Official Information Act responses by MBIE in 2017 as well as the interviews with stakeholders and international students as part of this study. The findings from this study show that investigation and enforcement activities are largely reactive and generally do not offer the necessary protection to international students in many cases. For example, over three years between 2014- 2017, of cases involving migrant workers (almost all from minimum standard breaches), only 7.4% involved those on student visas – extremely low considering the media reporting and this research. The seeming inability to access these vulnerable workers makes it evident that the enforcement mechanisms are currently not fit for purpose. While there has been a commitment to increase immigration and labour inspectorate capacity, limitations remain in their capacity for reach in terms of the secondary labour market, and a lack of trust partly hinders any meaningful monitoring and enforcement mechanisms.

This mistrust is a concern that is not easily rectified and would need to be a focus of education and information campaigns. While in 2018 the Ministry of Education recognised some concerns and allocated funding for the first time through their International Student Wellbeing Strategy, the current projects have a focus on educational support and inclusion, and there is no mention of work (Ministry of Education, 2019). The apparent minimisation of the importance of work, which is fundamental for many international students and included in legislation, ignores the impact employment may have on educational attainment, self-esteem, and future progression.

Although it is acknowledged that some legislation has been reformed with the highlighting of migrant worker exploitation (including input by this researcher), significant concerns still exist that have not necessarily been mitigated by these changes. The link of work visas to an employer under the Post Study Work Visa (employer-assisted) category was not signalled as an area of concern in this research. It is acknowledged that while a visa link between an employer and employee may predispose the relationship to be exploitative, in some cases most employed under this category (17 out of 24) were working in professional roles and had organisational commitment to their

ongoing development and employment. Indeed, they were some of the few in the survey who had actually transitioned to better job quality. Nonetheless, the Government has ended this visa category, effective 26 November 2018.

The continuation of the Post Study Work Visa (open) (valid for between one and three years depending on qualification and where the location of study was), does not eliminate the potential for unfair treatment. While the majority of those on a Post Study Work Visa were in this category, worker mistreatment and employment breaches were higher among this group as a percentage. No relationship between the qualification's respondents studied for and their jobs meant that the chance of getting a skilled job in an occupation with a worker shortage was negligible. Combined with a lack of employer incentives and legislative ringfencing for ongoing employment in what was generally low-skilled work, it seems that avenues for permanent residency are rapidly narrowing for international students.

Numerous concerns persist, which are difficult to address within the [limitations of] current policy settings. The conflict between education and work remains, as well as the limited capacity to eliminate exploitative working conditions. While this is in part due to the constraints of enforcement authorities in terms of numbers and reach, a lack of pastoral care from tertiary institutions (as well as their role in labour supply in some cases) combined with the nature of New Zealand businesses make this an extremely difficult issue to address. Nonetheless, areas that could be mitigated have been highlighted during this research. The Pastoral Care Code of Practice (2001, amended in 2016) has seemingly obviated the desire for cross-stakeholder cooperation. While some information sharing occurs between government agencies (e.g. Education NZ and Immigration NZ), there is a lack of cohesive oversight for international student outcomes. This imitation has a deleterious effect and is corrosive. The siloing of roles has meant a lack of responsibility is taken by any agency, regardless of their scope. With a parcelling off control to multiple regulatory, monitoring, and enforcement capabilities, the result is haphazard, inconsistent, and punitive, while failing to recognise that many international students work in jobs that effectively exist beyond the reach of government regulation.

An inherent tension also remains in policy imperatives. Aiming for high numbers of international students despite domestic infrastructure pressures, housing shortages, and politicisation of [any] migration [type] fails to recognise that international students are not simply an economic unit to be measured but are migrants who have invested in New Zealand – even if it appears that New Zealand invests too little in them. The risk of this

policy approach is that the economic reliance of some industry sectors on the work and the workers international education provides is a *house of cards*. If the concerns flagged in this research are not addressed at more than a superficial level, the ongoing sustainability of the sector is questionable.

This thesis concludes that international students are a vulnerable workforce that have had only limited New Zealand research attention and regulatory focus. While globally there is an acknowledgement of this cohort as an area of concern, the New Zealand monitoring, regulation, and enforcement has been limited by politicisation of the “migrant issue”, confused government policy, and a seeming disregard for international students as anything other than a “cash cow”. Although a new government came into power at the end of 2017, it has so far signalled little other than a proverbial rearranging of the deckchairs in protective elements, while reducing permanent residency options. From election campaigning on a reduction in overall migrant numbers to reasserting the goals of the previous government to grow the export education sector, the overall approach has been signalled as business as usual.

9.4 Reframing the Core and the Periphery: Multivariate Analysis Model of International Student Working Experiences

The nature of this study has been driven by seeking to explore the working experiences of international students in New Zealand. Previous research has investigated this phenomenon but has not addressed the complexity of the sectors involved or investigated in any detail the students’ working lives. This research has attempted to address these gaps by looking at the models describing varying facets of the international student journey that leads to working in New Zealand. Each model presents varying contextual factors that may have more or less relevance depending on their interaction. Identification of key themes in the literature as well as the research questions provide substantive reasons for the focus on some models over others for this analysis. Developing the elements that are plotted in this model encapsulating international student work (Development of International Student Working Experiences: Multivariate Analysis Model) was an important contribution of this research because the model was designed to specifically understand the contributing factors impacting on the working experiences of international students in New Zealand, and their outcomes.

As previously discussed, most models offer some form of limitations or parameters in order to clearly define a specific group and exclude others. Further, while immigration

literature explains migration motivations from a variety of perspectives, many labour market models ignore migration or have it as *one* characteristic rather than a *distinguishing* characteristic. This is an intrinsic and consistent weakness of any model that is presented: acknowledged in theoretical literature across academic disciplines. Nonetheless, the models chosen are to explain and address particular characteristics and circumstances of the topic and in particular, the research questions (see Table 9.1).

Table 9.1. Link Between the Research Questions and Theoretical Models

Research Question	Link to theoretical models
RQ1. What are the prevailing political, social, and economic factors that influence how international student workers are employed in New Zealand?	<ul style="list-style-type: none"> • Push-Pull Factors Influencing International Student Destination Choice (various) • Sargeant and Tucker (2009). Layers of vulnerability in occupational safety and health for migrant workers: case studies from Canada and the UK. • Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia
RQ2. What are the working experiences of international student workers in New Zealand and do such experiences make these workers vulnerable?	<ul style="list-style-type: none"> • Sargeant and Tucker (2009). Layers of vulnerability in occupational safety and health for migrant workers: case studies from Canada and the UK. • Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia
RQ3. What are the working experiences of international student workers in New Zealand and do such experiences make these workers vulnerable?	<ul style="list-style-type: none"> • Atkinson (1984). Flexible Firm Model • Sargeant and Tucker (2009). Layers of vulnerability in occupational safety and health for migrant workers: case studies from Canada and the UK. • Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia • Vidal (2013). Generic labour processes and the quality of employment: An analytical framework

Research Question	Link to theoretical models
RQ4. Do the working characteristics of international students differ from those of migrant workers?	<ul style="list-style-type: none"> • Push-Pull Factors Influencing International Student Destination Choice (various) • Atkinson (1984). Flexible Firm Model • Sargeant and Tucker (2009). Layers of vulnerability in occupational safety and health for migrant workers: case studies from Canada and the UK. • Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia • Vidal (2013). Generic labour processes and the quality of employment: An analytical framework
RQ5. What are the typical employment arrangements (such as employment status, legal protection, the level of wages and conditions, enforcement of the regulations, etc.) for international student workers?	<ul style="list-style-type: none"> • Atkinson (1984). Flexible Firm Model • Sargeant and Tucker (2009). Layers of vulnerability in occupational safety and health for migrant workers: case studies from Canada and the UK. • Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia • Vidal (2013). Generic labour processes and the quality of employment: An analytical framework
RQ6. Can international students working in New Zealand access Decent Work?	<ul style="list-style-type: none"> • Push-Pull Factors Influencing International Student Destination Choice (various) • Atkinson (1984). Flexible Firm Model • Sargeant and Tucker (2009). Layers of vulnerability in occupational safety and health for migrant workers: case studies from Canada and the UK. • Burgess and Campbell (1998). The Nature and Dimensions of Precarious Employment in Australia • Vidal (2013). Generic labour processes and the quality of employment: An analytical framework

Each of the models has captured differing fragments relevant to understanding the working experiences of international students. From the first model explaining international student motivations for studying overseas to the final model measuring job quality, each provides a perspective about how labour markets function (see Chapter Two for more detail).

In essence, this research sought to build common understandings for analytical purposes through construction of a working theoretical model. It is, however, acknowledged that common definitions, measures of extent, and measurable impacts of international students working remain elusive despite dramatic increases in the number of international students as well as a growing economic reliance in many countries (New Zealand included). While acknowledging a heterogeneous experience for international students at the individual level, the model's focus is on the representative characteristics that form the inputs and outcomes at a macro level.

Using the five models to understand and explain the research findings and then addition of features from the research were pivotal in theoretical development. The applicable inputs and outcomes have been ascertained by cross-referencing of the five theoretical models presented in Chapter Two to evaluate their similarities, differences, and quantification (see Table 9.1.). Using a STEP Analysis (Gupta, 2013; Ho, 2014), the literature findings were then combined with key research findings at each of the three stages (see Appendix O) to ascertain the key inputs that influence the quality of international student working experiences.

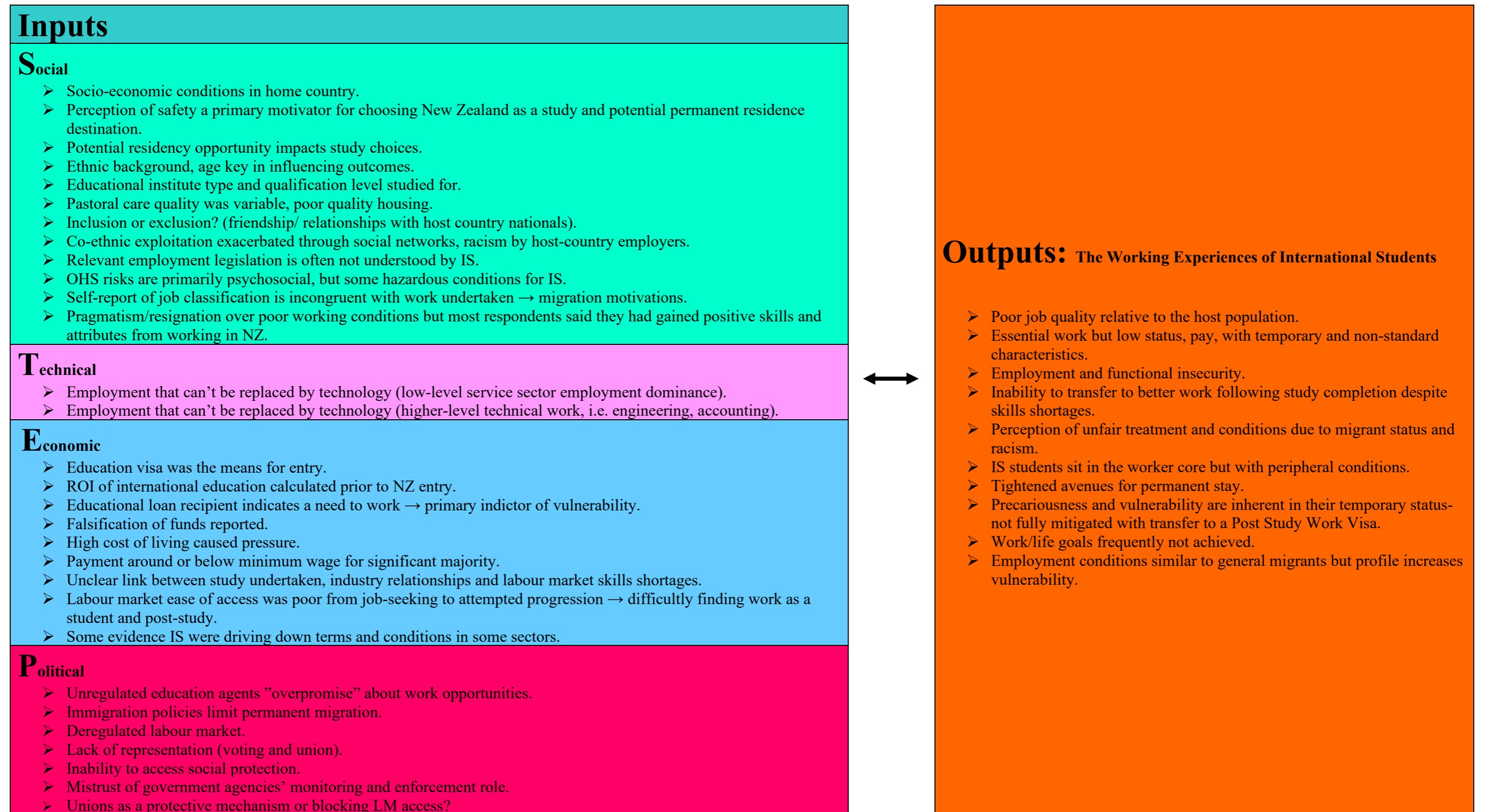
Figure 9.1. correlates the inputs and outputs that significantly shape the working experiences of international students. The analysis that helped form the model was an initial literature scan, with identification of key themes presented in the Chapter Three literature. Each phase of data collection (Chapters Five - Seven) provided substantive justification for the addition of some contextual factors. The additions are important to consider when adapting previously formed frameworks to a different setting to the context for which it was developed (for example, quality of employment in Vidal's 2013 framework used as inputs and outcomes as in the researcher's own model. In addition,

The comparison of migrant and international student worker characteristics allows further analysis of what makes them more vulnerable in the labour market. While no judgments are made (in the framework at least) about the social justice or social desirability of restrictive national immigration policies, and policies that permit the temporary presence of a foreign workers but do not permit their permanent presence, these policies form the background to an international students' entry, work, and probable exit. Nonetheless, they are only part of the picture in explaining the quality of international student work experiences in terms of inputs and outcomes. Seeing the workplace as a social institution

and a political experience shows that international students have their autonomy eroded by their lack of input into their own lives in New Zealand.

.

Figure 9.1: Multivariate Analysis Model of International Student Working Experiences



9.5 Contributions to Knowledge

The current research has made a significant contribution to the limited knowledge available on the working experiences of international students in New Zealand. It has explored a large sample of international students themselves, as well as multiple stakeholders' opinions on the regulatory frameworks of migration and employment. Knowledge was developed and consolidated through the use of multiple methods to collect and analyse the data. Findings from the survey documented participants' study and work experiences while interviews allowed for a deeper understanding of the emerging issues signposted by the survey.

The research process enabled development of emerging themes at each research stage to be recorded and analysed. The information offered significant detail in areas that have had little exploration previously such as inclusion and exclusion, workplace friendships and work transition (or otherwise). Identified was the key role that migrant communities played in the recruitment, employment, and treatment of students. This finding was consistent, regardless of ethnicity. Analysis of media reporting provided additional evidence that in the limited number of cases that have progressed to prosecution exploitation has primarily occurred within ethnic communities.

Finally, this study contributes to theoretical development by reconceiving models related to international students working, looking from a macro approach of factors measuring worker precariousness and OHS, to a micro approach of job quality measurement. It also contributes to the debate on policies and practices for working international students by focusing on the multiple factors that influence the status of contingent workers in New Zealand.

9.6 Study Limitations

Within a qualitative research paradigm, complications arise that need to be identified and reconciled by the researcher. For pragmatic reasons, research participants were recruited primarily from ethnic newspapers, communication with educational institutes, handouts, and snowball sampling. While this was ultimately successful, recruitment was slow and required ongoing attention. This approach also meant that most respondents were from Auckland (although this mirrors educational migration patterns), and experiences may have been more varied in a cheaper destination with a wider variety of jobs. It would also

be of value to explore a greater variety of industries to see whether there is international student representation and whether additional health and safety concerns exist.

Thoughtful analysis and planning ensured that the methods used to collect and analyse the data rigorously addressed the aims of the thesis. One major issue experienced during the course of this research related to the *scope* of the study. While the researcher sought to build knowledge through sequential research stages, the volume of data collected at the survey stage led to very time-consuming analysis of the material. Further, some questions gained insufficient detail or depth, so were of little use, or needed to be investigated further at the interview phase.

However, being explorative in nature, this research had limitations and these need to be considered when interpreting the findings. The two main forms of data collection, the survey and interviews, were in English, which resulted in the sample being biased towards participants proficient in English. It is possible that some international students were unable to participate, particularly those with lower language proficiency who were unable to understand or answer the survey questions. This may be the reason for a number of incomplete responses highlighted in Chapter Five: Research Methods. Future research could translate the questions into other languages and use translators to ensure the sample is accessible to participants with non-English speaking backgrounds. Further, while the two largest survey groups' - Indians and Chinese - participation was mirrored by their dominance as students, there was a total absence of Korean students, despite them being a large part of the tertiary student market (Education Counts, 2018, 2018a; Collins, 2010). This may be due to shorter ELS course duration where the students do not work, greater familial support, or a lack of inclination to answer the survey or be interviewed.

Self-selecting participants made up the survey sample. It is therefore possible that the international students willing to participate in the research were less satisfied with their work experiences and keener to voice their dissatisfaction. The larger population representativeness can also be compromised with the use of snowball sampling as participation may be biased towards those with larger social networks and contact with other international students (Baltar & Brunet, 2012). Although this issue was addressed by utilising a variety of other media, such as support groups on social media, university newsletters, handouts, and ethnic community newspapers to promote the study as widely as possible, it is possible that many individuals who were not involved with the international student or their ethnic community did not hear about the study.

The research approach was ambitious but generated a significant volume of research material in under-explored areas. The survey was cross-sectional in nature. A limitation of using a cross-sectional survey design is that the information obtained is restricted to a particular point in time and not easily replicated. A longitudinal study could be used in future research to further evaluate the ways that working expectations can be understood and to monitor whether in the longer term the international students transition to better employment.

There was no participation of employers outside ‘off the record’ discussions. It would have been useful to engage with this sector to analyse the incentives for compliance or otherwise, along with looking at the reliance of particular industries on migrant and/or international students. Similarly, the reluctance of international students to be interviewed to provide greater detail about emerging findings signposted in the Stage One Survey was frustrating. A number of appointments were made and cancelled, interviewees citing fear of authority and worry that their identity would be exposed. This meant that only limited investigation occurred in this research phase.

Surprisingly, self-employed workers were not represented in the survey at all at the post-study level. This is noteworthy because self-employed workers tend to be employed in high-risk industries (Mayhew et al., 1997; Quinlan, 1994) and they feature as a significant proportion of work injuries in New Zealand. It could be that the recruitment strategies failed to reach this population. It is also possible that relatively few international students engage in this work type — in contrast to migrants more generally, where increasing numbers of small business start-ups enable a three year Entrepreneur Work Visa (Immigration NZ, 2019). Nonetheless, anecdotally the researcher has heard that this is an avenue to stay in New Zealand after completion of study.

Despite the limitations, the sample was representative of most of the main ethnic groups studying in New Zealand [with the absence of any Korean respondents], as well as key sectors where previous research has indicated international students congregate. It also represented a range of tertiary institutes and qualification types.

9.7 Future Research

While the extent of analysis may be limited by the exploratory nature of this research, disturbing trends are indicated, and responses indicated several areas that should be explored in further detail, discussed as follows.

9.7.1 Linking Tertiary Institution Quality, Qualification Levels, and Employment Outcomes

International students are located within the body of temporary migrant workers in New Zealand and illustrate the way in which migration status and education levels may influence patterns of work. Difference between institutions and qualifications offered presumably has an impact on later labour market outcomes in many cases, and further investigation into the factors that enable transition to better work in the labour market would be useful. This would involve analysing institutions with the best success rates from study to work – with caveats that areas such as job quality, skills shortage cover etc. would need to form part of the research.

9.7.2 Employer Motivations for Employing International Students

Widening examination from the perspective of the employee to the employer regarding international student employment would help to ‘balance’ these findings. While attempts were made to engage with some individuals, the researcher was unable to secure respondents. Extending the investigation to understand the employer perspective would help identify their concerns, as well as underlying structural or systemic failures.

9.7.3 A Greater Role for Trade Unions?

With the election of a Labour Coalition Government in 2017 and employment policy changes signalling a greater commitment to unionism and tripartism, research into the appropriate role unions could play in migrant representation and protection in New Zealand should be examined. The conflicting goals of union members presents challenges in representation priorities, and alternative modes of organising need to be expanded to enable greater migrant representation.

9.7.4 Theorising International Student Work

Five models were used in this research to determine how international student work could be understood. In applying these models, the researcher touched on various working experiences linking to peripheral labour market conditions (protection, progression, work status), precariousness (work conditionality and temporariness), OHS vulnerability (representation at all layers of vulnerability as per Sargeant and Tucker’s 2009 model),

and poor measured job quality. Given the repetition of some employment characteristics and a lack of *ranking* in most frameworks (see Figure 2.3), the key indicators of international student working experiences could be graded to build a more comprehensive model than the one presented in Section 9.5 of this chapter. This would involve a wider consultation with key stakeholders to build theoretical understanding that could be applied to the working experiences of international students.

Further research is intended to surmise whether the trends indicated are wide-ranging in the international student sector. These developments present a new set of challenges around inequalities, insecurity, and changing forms of organisational practices and regulation. In addition, questions must be asked regarding the legal and human rights implications of government(s) policies in this concerning area of the labour market, given the states' role in constructing categories of migration, some of whom are clearly more vulnerable to exploitation and abuse.

9.8 Recommendations

- With migration a contentious and often politically polarising issue, international student numbers, work pathways, and permanent residency avenues have been tightening over time. Endeavours for cross-party agreement that international students are deserving of policy protection and consistency would recognise the importance of non-partisan immigration and employment relations policy-making.
- Some kind of measure of the extent to which current regulation is effective must be undertaken. While Labour Inspectorate prosecutions and the listing of employers who have exploited migrants on a *name and shame* list have a strong deterrence effect, the increasing number of cases indicate a large-scale issue. Nonetheless, Inspectorate cases are primarily a retroactive response to complaints received and seem a blunt instrument to combat an extremely complex and multifaceted concern. Moreover, this approach does little to address the labour supply end, nor disassembles the factors that enable international students to be employed this way.
- Strategic litigation is a core function of regulatory and enforcement authorities. However, inspectorate numbers limit action that can be undertaken. the current structure of the inspectorate(s) mean they follow cases from investigation right through to prosecution. Given the highly administrative nature of the role and the

seemingly low prosecution numbers, the enforcement structure needs reform. Suggested is that the prosecution is passed to Crown solicitors to ensure faster progress. The ease of setup of companies in New Zealand could also be altered, where a more rigid system in terms of employers being required to provide a lot more information before they can operate as a company or employ migrant workers.

- The labour law for international students needs to be adapted to cope with the increasing variety of employment relationships and individual circumstances. The researcher recommends beginning with abolition of the visa conditionality of 20 hours per week, in line with those studying at a Masters and PhD level. Given that this was the main employment breach in this research and other studies it would appear that the regulation's effectiveness is minimal. However, being in violation of the Fee Paying Student Visa restrictions meant international students feared speaking to authorities about other (more serious) breaches.
- There needs to be greater pastoral care consistency between institutions that educate international students. This research found that universities fared poorly when compared to PTEs in the support they gave to international students. While this may be due to the size differences, also of concern is the lack of mandated attendance monitoring at universities. The 2016 Code of Practice suggests monitoring attendance to ensure student welfare – however, conceivably a student could choose to attend no classes and instead work fulltime (and there are many anecdotal cases reported of this occurring). Further:
- Orientation programme guidelines in section 13.3. have a list of areas that could be covered such as accommodation, driving laws, sale of alcohol. There is no mention of work in the document, an oversight that urgently needs to be addressed. Further, the voluntary nature of inclusion/exclusion of information areas needs to move to a compulsion model with clear and relevant education programmes. Limitations in capacity of government agencies mean that the education institutions need to step up.
- Existing literature suggests that more comprehensive approaches to addressing the career development needs of international students are needed, to help international students plan for their current and future career choices, especially when considering decisions to pursue employment and immigration.

- International students face complex challenges during their education in New Zealand with high risks of hardship and social isolation. The pastoral care model's self-regulatory nature is vague in its expectations and the minimum standard of care is inadequate. It would be useful to consider student to support-worker ratio minima to ensure adequate assistance is available. Compelling public tertiary institutions to make higher reinvestment of international student fees into areas supporting their wellbeing, rather than 'mopping up' funding shortfalls, would also redress pastoral care concerns.
- Movement towards regulation of offshore agents is essential. A recurring complaint in the three research stages of this thesis was the misrepresentation of New Zealand society by educational agents. As part of the Pastoral Care Code of Practice (2016) "a fair and accurate representation of the activities and services by the education institute" provided is compulsory (section 5.1). While this information was somewhat accurate (ignoring that many educational institutes with shabby offices in Queen Street had prospectuses with photos of a greenfield campus!), information about work was not. Students were led to believe they would easily find work, wages were high, and that their educational course would give them an opportunity for permanent residency not available through other migration categories. With no requirement to provide contextual information, (e.g. wages are higher than your native country but so is the cost of living) many international students gained a false impression of the opportunities they would be afforded.
- While international students must have travel and medical insurance for the duration of their study, they may also be a claimant through ACC. While a self-report system, a separate classification for international students would help to build a solid evidence base (if only partial) about the OHS of international students. This information could be used to guide education programmes and interventions.
- The final suggestion is the most ambitious one, where stakeholders need to loudly question and challenge the fundamental nature of migration categories that cement migrant worker precarity. International student conditionality limits opportunities, while the fundamental nature of educational migration as a source of profit does not have public good as its primary aim.

9.9 Conclusion

Work is one of the most essential aspects of life – both from the viewpoint of individual and the society as a whole. For international students coming to study in New eland, their decision is life-changing and not made lightly. And yet successive government policymaking has seemingly unclear goals:

- Should it protect international students or increase the labour market pool for poor quality jobs?
- Do we want international students congregating at the bottom of the labour market? If so, why not open avenues for unskilled worker shortages?

The migration process implies complex challenges in terms of governance, migrant workers' protection, potential transition, and seeking to non-politicise the process for international students, where they are often marginalised, and their rights are limited – enshrined by legislation. The current labour migration paradigm is based on the commodification of international student education, where they are paying considerably more than domestic students for their often-inferior education, and then by being exploited in our labour market. The overall conclusion of this thesis is that a lack of understanding, measurement – and probably political – will continue to mean international student have poor working experiences, and suboptimal outcomes. For New Zealand, as a developed state who was a founding member of the ILO, the inability of international students to access Decent Work should be of far greater concern that it currently appears to be.

References

- Abbott, A., & Silles, M. (2016). Determinants of international student migration. *The World Economy*, 39(5), 621-635.
- Able, G., & White, F. (2012). *Education: A Great British Export*. London: Wild Research.
- ACC (2018). *How your claims history affects your levies*. Retrieved from <https://www.acc.co.nz/for-business/how-your-claims-history-affects-your-levies/?smooth-scroll=content-after-navs>
- Adib, A., & Guerrier, Y. (2003). The interlocking of gender with nationality, race, ethnicity and class: The narratives of women in hotel work. *Gender, Work & Organization*, 10(4), 413-432.
- Adler, E. (2013). Constructivism in international relations: sources, contributions, and debates. *Handbook of International Relations*, 2, 112-144.
- Agadjanian, V., & Zotova, N. (2012). Sampling and surveying hard-to-reach populations for demographic research: A study of female labor migrants in Moscow, Russia. *Demographic Research*, 26, 131-150.
- Ahmad, A. (2008). Dead men working: time and space in London's (illegal) migrant economy. *Work, Employment and Society*, 22(2), 301-318.
- Ahmad, F., Shik, A., Vanza, R., Cheung, A. M., George, U., & Stewart, D. E. (2005). Voices of South Asian women: immigration and mental health. *Women & Health*, 40(4), 113-130.
- Ahonen, E. Q., Benavides, F. G., & Benach, J. (2007). Immigrant populations, work and health—a systematic literature review. *Scandinavian Journal of Work Environment and Health*, 33(2):96–104.
- Akman, V. (2014). Factors Influencing International Student Migration: A Survey and Evaluation of Turkey's Case. *Interdisciplinary Journal of Contemporary Research in Business*, 5(11), 390-415.
- Alberti, G., Holgate, J., & Tapia, M. (2013). Organising migrants as workers or as migrant workers? Intersectionality, trade unions and precarious work. *The International Journal of Human Resource Management*, 24(22), 4132-4148.
- Alberts, H. C., & Hazen, H. D. (2005). “There are always two voices...”: International Students' Intentions to Stay in the United States or Return to their Home Countries. *International Migration*, 43(3), 131-154.
- Aldridge, R. W., Nellums, L. B., Bartlett, S., Barr, A. L., Patel, P., Burns, R., ... Abubakar, I. (2018). Global patterns of mortality in international migrants: a systematic review and meta-analysis. *The Lancet*, 392(10164), 2553-2566.
- Allan, C., Bamber, G. & Timo, N. (2002). Employment relations in the Australian fast-food industry. In T. Royle & B. Towers (Eds.), *Labour Relations in the Global Fast-Food Industry* (pp. 154–171). London: Routledge.

- Allen, J., & du Gay, P. (1994). Industry and the Rest: The Economic Identity of Services. *Work, Employment and Society*, 8 (2), 255-271.
- Alli, B.O. (2008). *Fundamental Principles of Occupational Health and Safety*. Geneva: ILO.
- Alston, P. (2005). Facing up the Complexities of the International Labour Organization's Core Labour Standards Agenda. *The European Journal of International Law*, 16(3), 467-480.
- Altbach, P. (2013). Agents and third-party recruiters in international higher education. In *The International Imperative in Higher Education* (pp. 129-133). Rotterdam: Sense Publishers.
- Altbach, P. G. (2004). Globalisation and the university: Myths and realities in an unequal world. *Tertiary Education & Management*, 10(1), 3-25.
- Altbach, P. G. (1998). *Comparative higher education: Knowledge, the university, and development*. California: Greenwood Publishing Group.
- Altbach, P. G., & Knight, J. (2007). The internationalization of higher education: Motivations and realities. *Journal of Studies in International Education*, 11(3-4), 290-305.
- Amuedo-Dorantes, C., & Pozo, S. (2006). Migration, remittances, and male and female employment patterns. *American Economic Review*, 96(2), 222-226.
- Anderson, B. (2010). Migration, Immigration Controls and the Fashioning of Precarious Workers. *Work, Employment and Society*, 24(2), 300-319.
- Anderson, B. (2008). *"Illegal Immigrant": Victim or Villain?*. Oxford: Centre on Migration, Policy and Society.
- Anderson, B., & Ruhs, M. (2010). Researching illegality and labour migration. *Population, Space and Place*, 16(3), 175-179.
- Anderson, B., Ruhs, M., Rogaly, B., & Spencer, S. (2006). *Fair enough? Central and East European migrants in low-wage employment in the UK*. United Kingdom: Joseph Rowntree Foundation.
- Anderson, B., & Rogaly, B. (2005). *Forced Labour and Migration to the UK*. Oxford: COMPAS & Trades Union Congress.
- Anderson, D., Boocock, M., Hannif, Z., Jamieson, S., Lamare, R., Lamm, F., ... Shulruf, B. (2010). *Methodological Issues Related to Researching OHS of Migrant Workers: A Cross-National Comparison*. Paper presented at ESRC Seminar Series: The impact of migrant workers on the functioning of labour markets and industrial relations, on 4 November. Dorset: Bournemouth University.
- Anderson, D., Jamieson, S., & Naidu, K. (2012). Managed Migration? The Health and Safety and Human Rights Implications for Student Migrant Labourers in the Horticulture Sector. Retrieved from <http://ilera2012.wharton.upenn.edu/NonRefereedPapers/Anderson,%20Jamieson,%20Naidu.pdf>
- Anderson, D., Lamare, R., & Hannif, Z. (2011). The Working Experiences of Student Migrants in Australia and New Zealand. In R. Price, P. McDonald, J. Bailey & B. Pini (Eds.), *Young People and Work* (pp. 51-66). England, USA: Ashgate.

- Anderson, D., & Lamm, F. (2012, February). *New Zealand Submission to the United Nations Universal Periodic Review*. Auckland: New Zealand Work and Labour Market Institute, The Centre for Occupational Health and Safety Research, Auckland University of Technology.
- Anderson, D., & Naidu, K. (2010). The Land of Milk and Honey? The Contemporary Working Lives of Contingent Youth Labour. *New Zealand Journal of Employment Relations*, 35(3), 61-79.
- Anderson, D. & Naidu, K. (2009, 19 November). *The Land of Milk and Honey? The Contemporary Working Lives of Contingent Youth Labour in New Zealand*. Paper presented at the 90 Years of the International Labour Organisation Conference, Auckland University of Technology.
- Anderson, R. (2007). *Thematic Content Analysis (TCA): Descriptive presentation of qualitative data*. (Unpublished manuscript). Retrieved from <http://rosemarieanderson.com/wp-content/uploads/2014/08/ThematicContentAnalysis.pdf>
- Andrade, M. S. (2006). International students in English-speaking universities: Adjustment factors. *Journal of Research in International education*, 5(2), 131-154.
- Arbes V (2012). *A Sociological Investigation of Illegal Work in Australia*. Melbourne: Hall & Partners.
- Arcury, T.A., Grzywacz, J.G., Sidebottom, J., & Wiggins, M.F. (2013). Overview of immigrant worker occupational health and safety for the agriculture, forestry, and fishing (AgFF) sector in the southeastern United States. *American Journal of Industrial Medicine*. 56(8), 911–24.
- Arthur, N., & Flynn, S. (2011). Career development influences of international students who pursue permanent immigration to Canada. *International Journal for Educational and Vocational Guidance*, 11(3), 221-237.
- Ash, G. (2015, 9 September). *Widespread Exploitation in International Student Workplace*. Retrieved from <https://www.studyinternational.com/news/widespread-exploitation-in-international-student-workplace/>
- Atkinson, J. (1984). Manpower strategies for flexible organisations. *Personnel Management*, 16(8), 28-31.
- Australian Bureau of Statistics (2017). *Time Series Spreadsheets*. Retrieved from <https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6291.0.55.003Aug%202017?OpenDocument>
- Aydemir, A., & Skuterud, M. (2005). Explaining the deteriorating entry earnings of Canada's immigrant cohorts, 1966–2000. *Canadian Journal of Economics/Revue Canadienne d'économique*, 38(2), 641-672.
- Babin, B.J., & Boles, J.S. (1996). The effects of perceived co-worker involvement and supervisor support on service provider role stress, performance and job satisfaction. *Journal of Retailing*, 72, 57-75.
- Bai, L. (2008). The influence of Chinese perceptions of modernisation on the value of education: a case study of Chinese students in New Zealand. *China: An International Journal*, 6(02), 208-236.

- Baker, M., Creed, J., & Johnson, D. (1996). *Financing and Effects of Internationalisation of Higher Education: An Australian Study*. Canberra: Australian Government Printing Service.
- Bakewell, O. (2010). Some Reflections on Structure and Agency in Migration Theory. *Journal of Ethnic and Migration Studies*, 36(10), 1689-1708.
- Ball, R., & Piper, N. (2005). Trading labour-trading rights: the regional dynamics of rights recognition for migrant workers in the Asia-Pacific. In: K.J. Hewison and K. Young (Eds.), *Transnational migration and work in Asia* (pp. 213-234). Abingdon and New York: Routledge.
- Baltar, F., & Brunet, I. (2012). Social research 2.0: virtual snowball sampling method using Facebook. *Internet research*, 22(1), 57-74.
- Bandyopadhyay, S., & Bandyopadhyay, K. (2015). Factors influencing student participation in college study abroad programs. *Journal of International Education Research*, 11(2), 87-94.
- Barke, M., Braidford, P., Houston, M., Hunt, A., Lincoln, I., Morphet, C., Stone, I. & Walker, A. (2000). *Students in the labour market. Nature, extent and implications of term-time employment among University of Northumbria undergraduates*. London: Department for Employment and Education.
- Barwick, H. (2006). *Youth work today: a review of the issues and challenges*. Wellington: Ministry of Youth Development.
- Barron, P., & Anastasiadou, C. (2009). Student part-time employment: Implications, challenges and opportunities for higher education. *International Journal of Contemporary Hospitality Management*, 21(2), 140-153.
- Bartkiw, T. J. (2009). Baby steps-toward the regulation of temporary help agency employment in Canada. *Comparative Labor Law & Policy Journal*, 31, 163.
- Bartunek, J. M., & Louis, M. R. (1996). *Insider/outsider team research*. Thousand Oaks, CA: Sage.
- Bauder, H. (2006). *Labor Movement: How Migration Regulates Labor Markets*. Oxford: Oxford University Press.
- Bedford, R., & Ho, E. (2006). Immigration Futures: New Zealand in a Global Context. *New Zealand Population Review*, 32(2), 49-63.
- Benach, J., & Muntaner, C. (2007). Precarious Employment and Health: Developing a Research Agenda. *Journal of Epidemiology and Community Health*. 62, 276-277.
- Benach, J., Muntaner C., Delclos C., Menéndez M., & Ronquillo C. (2011). Migration and "Low-Skilled" Workers in Destination Countries. *PLoS Med*, 8(6), 1001- 1043.
- Bennett, S.A. (1993). Inequalities in risk factors and cardiovascular mortality among Australia's immigrants. *Australian Journal of Public Health*, 17(3), 251-26.
- Berg, L., & Farbenblum, B. (2017). *Wage theft in Australia: Findings of the national temporary migrant work survey*. Retrieved from

https://opus.lib.uts.edu.au/bitstream/10453/120396/1/Wage%20theft%20in%20Australia%20Report_final_web.pdf

- Berg, N. (2005). *Non-response bias*. Retrieved from https://mpra.ub.uni-muenchen.de/26373/1/MPRA_paper_26373.pdf
- Berghman, J. (1995). *Social exclusion in Europe. Policy context and analytical framework*. Bristol: The Polity Press.
- Berno, T. E. L., & Ward, C. (2004). *Cross-cultural and educational adaptation of Asian students in New Zealand*. Auckland: Asia 2000 Foundation.
- Berinstein, S., Lippel, K., Tucker, E., & Vosko, L.F. (2006). Precarious Employment and the Law's Flaws: Identifying Regulatory Failure and Securing Effective Protection for Workers. In L.F. Vosko (Ed.), *Precarious employment: understanding labour market insecurity in Canada* (pp. 203-220). Canada: McGill-Queen's University Press.
- Bethel, A., & Ward, C. (2014). *The informational needs of international students in New Zealand tertiary institutions*. Wellington, NZ: Ministry of Business, Innovation, & Employment.
- Bexley, E., Devlin, M., James, R. & Marginson, S. (2007). *Australian University Student Finances 2006*. University of Melbourne: Centre for the Study of Higher Education, Australian Vice Chancellors Committee.
- Binsardi, A., & Ekwulugo, F. (2003). International marketing of British education: research on the students' perception and the UK market penetration. *Marketing Intelligence & Planning*, 21(5), 318-327.
- Binsardi, A., & Ekwulugo, F. (2003). International Marketing of British Education: Research on the Students' Perception and the UK Market Penetration. *Marketing Intelligence & Planning*, 21, 318-327.
- Birman, D. (2008). Ethical Issues in Research with Immigrants and Refugee. In Office of the Public Guardian, *OPG Safeguarding Vulnerable Adults Procedures and Guidance* (pp.155- 177). United Kingdom: Office of the Public Guardian.
- Birrell, B., Healy, E., & Kinnaird, B. (2009). The cooking-immigration nexus. *People and place*, 17(1), 63.
- Birrell, B., Healy, E., & Kinnaird, B. (2007). Cooks galore and hairdressers aplenty. *People and Place*, 15(1), 30.
- Bloch, A. & McKay, S. (2013). Hidden Dishes – How Food Gets on to our Plates: Undocumented Migrants and the Restaurant and Takeaway Sector. *Journal of Workplace Rights*, 17(1), 69–91.
- Bloch, A., Sigona, N., & Zetter, R. (2009). *No Right to Dream*. United Kingdom: Paul Hamlyn Foundation.
- Bloom, D. E., Hartley, M., & Rosovsky, H. (2007). Beyond private gain: The public benefits of higher education. In *International Handbook of Higher Education* (pp. 293-308). Dordrecht: Springer.

- Boese, M., Campbell, I., Roberts, W., & Tham, J. C. (2013). Temporary migrant nurses in Australia: Sites and sources of precariousness. *The Economic and Labour Relations Review*, 24(3), 316-339.
- Bohle, P., Quinlan, M., Kennedy, D., & Williamson, A. (2004). Working hours, work-life conflict and health in precarious and 'permanent' employment. *Rev. Saude Publica*, 38(Supl.), 19-25.
- Bolaria, B. S., & von Elling Bolaria, R. (1997). Capital, labour, migrations. Bolaria & von Elling Bolaria (Eds.), *International Labour Migration*. India: Oxford University Press.
- Boniface, L. (2007, December 18). Cover Story: Open all Hours. *Listener*, 208(3496).
- Boocock, M., Hannif, Z., Jamieson, S., Kjaer, T., Lamare, R., Lamm, F., ... Wagstaffe, M. (2010). *Methodological Issues Related to Research OHS of Migrant Workers: A Cross-National Comparison*. Paper Presented at Work, Employment and Society Conference on 7-9 September. Brighton: British Sociological Association.
- Boswell, C., & Straubhaar, T. (2004). The illegal employment of foreign workers: an overview. *Intereconomics*, 39(1), 4-7.
- Brabant, Z., & Raynault, M. F. (2012). Health situation of migrants with precarious status: Review of the literature and implications for the Canadian context—Part A. *Social Work in Public Health*, 27(4), 330-344.
- Brannen, J. (2005). Mixing methods: The entry of qualitative and quantitative approaches into the research process. *International Journal of Social Research Methodology*, 8(3), 173-184.
- Bright, S., & Fitzpatrick, K. (2017). *Young Workers Snapshot: The Great Wage Rip-Off*. Melbourne: Young Workers Centre.
- Broadbridge, A. M., Maxwell, G. A., & Ogden, S. M. (2007). Students' views of retail employment—key findings from Generation Ys. *International Journal of Retail & Distribution Management*, 35(12), 982-992.
- Brooks, R., & Waters, J. (2010). Social networks and educational mobility: The experiences of UK students. *Globalisation, Societies and Education*, 8(1), 143-157.
- Bryman, A. (2001). *Social Research Methods*. New York: Oxford University Press.
- BSR (2010). *Migrant Worker Management Toolkit: A Global Framework*. New York: BSR. Retrieved from https://www.bsr.org/reports/BSR_Migrant_Worker_Management_Toolkit.pdf
- Buie, E. (2001, March 29). Students find ill health on the curriculum. *The Glasgow Herald*, p. 3.
- Burr, V. (2015). *Social constructionism*. London: Routledge.
- Burgess, J., & Campbell, I. (1998). The nature and dimensions of precarious employment in Australia. *Labour & Industry: a journal of the social and economic relations of work*, 8(3), 5-21.

- Burgess, J., Connell, J., & Rasmussen, E. (2005). Temporary agency work and precarious employment: A review of the current situation in Australia and New Zealand. *Management Revue*, 16(3), 351-369.
- Burgess, J., Connell, J., & Winterton, J. (2013). Vulnerable workers, precarious work and the role of trade unions and HRM. *The International Journal of Human Resource Management*, (24)22, 4083-4093.
- Butcher, A. (2009). Friends, Foreign and Domestic: (re)converging New Zealand's Export Education and Foreign Policy. *Policy Quarterly*, 5(4), 64.
- Butcher, A., & McGrath, T. (2004). International students in New Zealand: Needs and responses. *International Education Journal*, 5(4), 540-551.
- Cachon, L., & Valles, M. S. (2003). Trade unionism and immigration: reinterpreting old and new dilemmas. *Transfer: European Review of Labour and Research*, 9, 469-82.
- Callender, C., & Kemp, M. (2000). *Changing student finances: Income, expenditure and take-up of student loans among full-and part-time higher education students in 1998/9*. Retrieved from <https://core.ac.uk/download/pdf/4154527.pdf>
- Callister, P., & Didham, R. (2010). Workforce composition, *Te Ara - the Encyclopaedia of New Zealand*. Retrieved from <http://www.TeAra.govt.nz/en/workforce-composition>
- Caluya, G., Probyn, E., & Vyas, S. (2011). 'Affective eduscapes': The case of Indian students within Australian international higher education. *Cambridge Journal of Education*, 41(1), 85-99.
- Camarota, S. A., & Jensenius, K. (2009). *Jobs Americans won't do? A detailed look at immigrant employment by occupation*. Washington: Center for Immigration Studies.
- Cameron, E. (2011). *Social Development Outcomes of Participation in the Recognised Seasonal Employer (RSE) scheme for Ni-Vanatau Seasonal Migrant Workers* (Masters' Thesis). Palmerston North: Massey University.
- Campbel, N., & Zeng, J. (2006). Living in the West: A study of Chinese international students' adaptation. *Communication Journal of New Zealand*, 7(1).
- Campbell, I., Boese, M., & Tham, J. C. (2016). Inhospitable workplaces? International students and paid work in food services. *Australian Journal of Social Issues*, 51(3), 279-298.
- Campbell, I., & Brosnan, P. (2005). Relative advantages: Casual employment and casualisation in Australia and New Zealand. *New Zealand Journal of Employment Relations*, 30(3), 33-45.
- Campolieti, M., Gunderson, M., Timofeeva, O., & Tsiroulnitchenko, E. (2013). Immigrant Assimilation, Canada 1971-2006: Has the Tide Turned? *Journal of Labor Research*, 34(4), 455-475.
- Carballo, M., & Nerukar, A. (2001). Migration, refugees, and health risks. *Emerging infectious diseases*, 7(3 Suppl), 556.
- Carens, J. H. (1996). Realistic and idealistic approaches to the ethics of migration. *International Migration Review*, 30(1), 156-170.

- Carling, J., & Collins, F. (2018). Aspiration, desire and drivers of migration. *Journal of Ethnic and Migration Studies*, 44(6), 909-926.
- Casey, B., Metcalf, H., & Millward, N. (1997). *Employers' use of flexible labour* (No. 837). London: Policy Studies Institute.
- Castelló, M., & Botella, L. (2006). Constructivism and educational psychology. *The Praeger Handbook of Education and Psychology*, 2, 263-270.
- Castells, M. (2000). Toward a sociology of the network society. *Contemporary sociology*, 29(5), 693-698.
- Castles, S. (2007). Twenty-first-century migration as a challenge to sociology. *Journal of Ethnic and Migration Studies*, 33(3), 351-371.
- Castro, L. J., & Rogers, A. (1984). What the age composition of migrants can tell us. *Population Bulletin of the United Nations 1983*. Retrieved from <http://pure.iiasa.ac.at/id/eprint/2408/1/RR-84-03.pdf>
- Cebolla-Boado, H., Hu, Y., & Soysal, Y. N. (2018). Why study abroad? Sorting of Chinese students across British universities. *British Journal of Sociology of Education*, 39(3), 365-380.
- Cellier, J.M., Eyrolle, H., & Bertrand, A. (1995). Effect of age and level of work experience on occurrence of accidents. *Perceptual and Motor Skills*, 80, 931-940.
- Charmaz, K. (2006). *Constructing grounded theory: A practical guide through qualitative analysis*. London: Sage.
- Chen, Q. (2002). 'Can international students become international citizens: gaps in current policies and practices of Australian international education. Proceedings of the 16th Australian International Education Conference. New Times, New Approaches. Hobart: IDP Education Australia.
- Chen, R. & Madamba, M. (2000). *Migrant Labour: An annotated Bibliography. International Migration Paper No. 33*. Geneva: Migration Branch, International Labour Office.
- Chibba, M. (2014). Contemporary issues on human trafficking, migration and exploitation. *Migration and Development*, 3(2), 163-173.
- Chiswick, B. R., & Miller, P. W. (2012). Negative and positive assimilation, skill transferability, and linguistic distance. *Journal of Human Capital*, 6(1), 35-55.
- Chiou, B. (2014). *International education, student migration and government policy: A comparative study of Australia and New Zealand* (Doctoral dissertation). Auckland University of Technology).
- Chou, C. H. (2014). *International students' learning experiences in Taiwanese higher education*. Fullerton: California State University.
- Choudry, A., & Henaway, M. (2012). Agents of misfortune: Contextualizing migrant and immigrant workers' struggles against temporary labour recruitment agencies. *Labour, Capital and Society/Travail, capital et société*, 36-65.

- Church, A., & Frost, M. (2004). Tourism, the global city and the labour market in London. *Tourism Geographies*, 6(2), 208-228.
- Church, A. T. (1982). Sojourner adjustment. *Psychological Bulletin*, 91, 540-572.
- Churchard, C. (2014) *Competition for best talent remains 'fierce' despite job growth*. CIPD, People Management. Retrieved from <http://www.cipd.co.uk/pm/peoplemanagement/b/weblog/archive/2014/01/21/competition-for-best-talent-remains-fierce-despite-jobs-growth.aspx>
- Clark, A. (2005). What makes a good job? Evidence from OECD countries. In *Job quality and employer behaviour* (pp. 11-30). London: Palgrave Macmillan.
- Clark, A.E. (1998). *Measures of job satisfaction - What makes a good job? Evidence from OECD countries. Labour Market and Social Policy - Occasional Paper No. 34*. Paris: OECD.
- Clark, L. S., & Marchi, R. (2017). *Young people and the future of news: Social media and the rise of connective journalism*. Cambridge: Cambridge University Press.
- Clibborn, S. (2015). Why undocumented immigrant workers should have workplace rights. *The Economic and Labour Relations Review*, 26(3), 465-473.
- Clibborn, S., & Wright, C. F. (2018). Employer theft of temporary migrant workers' wages in Australia: Why has the state failed to act? *The Economic and Labour Relations Review*, 29(2), 207-227.
- Cobanoglu, C., Moreo, P. J., & Warde, B. (2001). A comparison of mail, fax and web-based survey methods. *International Journal of Market Research*, 43(4), 1-15.
- Cochrane, B., & Rosenberg, B. (2015). *Indicators of Precarious Work*. Retrieved from https://workresearch.aut.ac.nz/_data/assets/pdf_file/0019/56224/Understanding-Insecure-Work-brochure.pdf#page=10
- Collins, S. (2018, 22 February). *Asian students lose thousands as NZQA closes down business college*. *NZ Herald*. Retrieved from https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=11999711
- Collins, F. L. (2010). Negotiating un/familiar embodiments: investigating the corporeal dimensions of South Korean international student mobilities in Auckland New Zealand. *Population, Space and Place*, 16(1), 51-62.
- Companies Office (2018). *Union membership return report 2017*. Retrieved from <http://www.societies.govt.nz/cms/registered-unions/annual-return-membership-reports/2017>
- Connell, J. (2010). From Blackbirds to Guestworkers in the South Pacific. Plus ça change ...? *The Economic and Labour Relations Review*, 20(2), 111-121.
- Connell, J. (1993). *Kitanai, Kitsui and Kiken: The Rise of Labour Migration to Japan*. Sydney: Economic & University of Sydney Regional Restructuring Research Unit.
- Connell, J., & Burgess, J. (2009). Migrant workers, migrant work, public policy and human resource management. *International Journal of Manpower*, 30(5), 412-421.

- Coppel, J., Dumont, J.C., & Visco, I. (2001). *Trends in Immigration and Economic Consequences*. OECD Economics Department Working Paper (284). Paris: OECD.
- Corden, A., & Sainsbury, R. (2006). Exploring 'quality': Research participants' perspectives on verbatim quotations. *International Journal of Social Research Methodology*, 9(2), 97-110.
- Cornelius, W. A., & Rosenblum, M. R. (2005). Immigration and politics. *Annu. Rev. Polit. Sci.*, 8, 99-119.
- Corvalan, C. F., Driscoll, T. R., & Harrison, J. E. (1994). Role of migrant factors in work-related fatalities in Australia. *Scandinavian Journal of Work, Environment & Health*, 364-370.
- Cowlshaw, S. (2017, 4 December). *Immigrants like 'slaves' under broken system* Retrieved from <https://www.newsroom.co.nz/2017/12/03/64690/immigrants-like-slaves-under-broken-system>
- Craig, G., Waite, L., Lewis, H., & Skrivankova, K. (Eds.). (2015). *Vulnerability, Exploitation and Migrants: Insecure Work in a Globalised Economy*. New York: Palgrave Macmillan.
- Craig, N. (2010, May 23). *Students from abroad treated like cash cows*. The Age. Retrieved from <http://www.theage.com.au/national/students-from-abroad-treated-like-cash-cows-20100522-w31k.html>
- Cubillo, J., Schanez, J., & Cervino, J. (2006). International Students Decision-Making Process. *International Journal of Educational Management*, 20(2), 101-115.
- Cull, M., & Whitton, D. (2011). University students' financial literacy levels: obstacles and aids. *The Economic and Labour Relations Review*, 22(1), 99-114.
- Cunningham-Parmeter, K. (2009, August): Redefining the Rights of Undocumented Workers. *American University Law Review*, 58(6), 1361-1415.
- Curtis, S. (2000). Undergraduates Are Now Filling the McJobs. *Professional Manager*, 44.
- Curtis, S., & Lucas, R. (2001). A coincidence of needs? Employers and full-time students. *Employee Relations*, 23(1), 38-54.
- Curtis, S., & Shani, N. (2002). The effect of taking paid employment during term time on students' academic studies. *Journal of Further and Higher Education*, 26(2), 129-138.
- Daniel, C., & Sofer, C. (1998). Bargaining, Compensating Wage Differentials, and Dualism of the Labor Market: Theory and Evidence for France. *Journal of Labor Economics*, 16(3), 546-75.
- Das, S. K. (2000). *Public office, private interest: Bureaucracy and corruption in India*. India: Oxford University Press.
- Datta, K., McIlwaine, C., Wills, J., Evans, Y., Herbert, J., & May, J. (2007). The new development finance or exploiting migrant labour? Remittance sending among low-paid migrant workers in London. *International Development Planning Review*, 29(1), 43-67.
- Davidson, C., & Tolich, M. (1999). *Starting fieldwork: An introduction to qualitative research in New Zealand*. Auckland: Oxford University Press.

- Davies, J. & Horan, M. (2016, 1 November). *Flexible work: how the gig economy benefits some more than others*. Retrieved from <http://theconversation.com/flexible-work-how-the-gig-economy-benefits-some-more-than-others-67865>
- Davis-Blake, A., Broschak, J. P., & George, E. (2003). Happy together? How using nonstandard workers affects exit, voice, and loyalty among standard employees. *Academy of Management Journal*, 46(4), 475-485.
- Dean, J. (2018). Does it matter if immigrants work in jobs related to their education? *IZA Journal of Development and Migration*, 8(1), 7.
- De Genova, N.P. (2002). Migrant “Illegality” and Deportability in Everyday Life. *Annual Review of Anthropology*, 31, 419–47.
- De Haas, H. (2005). International migration, remittances and development: myths and facts. *Third World Quarterly*, 26(8), 1269-1284.
- Deirdre, M.& Lee, S. (2011). *Questions and answers on labour regulation, Decent Work and the economic and jobs crisis*. Retrieved from http://www.ilo.org/global/about-the-ilo/press-and-media-centre/insights/WCMS_159050/lang--en/index.htm
- Deloitte. (2008). *The Experiences of International Students in New Zealand: Report on the Results of the National Survey 2007*. Wellington: Ministry of Education and Department of Labour.
- Demerouti, E. Kattenbach, R., & Nachreiner, F. (2003). Flexible working times: Consequences on employees' burnout, work-nonwork conflict, and performance. *Shiftwork International Newsletter*, 20(61).
- Denzin, N. K. (2003). *Performance Ethnography: Critical Pedagogy and the Politics of Culture*. London: Sage.
- Denzin, N. K., & Lincoln, Y. (1998). *The Landscape of Qualitative Research: Theories and Issues*. Thousand Oaks, California: Sage.
- Department of Labour (2013). *The Rise of Temporary Migration in New Zealand and its Impact on the Labour Market*. Retrieved from www.dol.govt.nz/publications/research/rise-temp-migration-nz-impact-labour-market-2013
- Department of Labour (2010). *Life After Study: International Students' Settlement Experiences in New Zealand*. Retrieved from
- Department of Labour (2010a). *Migration trends and outlook 2009/10*. Wellington: Department of Labour.
- Department of Labour (2007). *International Students: Studying and staying on in New Zealand*. Retrieved from <http://www.dol.govt.nz/publications/research/international-students/>
- Deshingkar, P., & Start, D. (2003). Seasonal Migration for Livelihoods in India. *Coping, Accumulation and Exclusion*. ODI Working Paper No. 220. London: Overseas Development Institute.

- Deumert, A., Marginson, S., Nyland, C., Ramia, G., & Sawir, E. (2005). Global migration and social protection rights: The social and economic security of cross-border students in Australia. *Global Social Policy*, 5(3), 329-352
- Deumert, A., Marginson, S., Nyland, C., Ramia, G., & Sawir, E. (2004, 28 November-2 December). *The Social and Economic Security of International Students in Australia: A study of 200 student cases*. Paper presented at the AARE Conference, University of Melbourne.
- Dillon, M., & Walsh, C. A. (2012). Left behind: The experiences of children of the Caribbean whose parents have migrated. *Journal of Comparative Family Studies*, 43(6), 871-902.
- Di Ruggiero, E., Cohen, J. E., Cole, D. C., & Forman, L. (2015). Competing conceptualizations of decent work at the intersection of health, social and economic discourses. *Social Science & Medicine*, 133, 120-127.
- Dobbin, F., & Boychuk, T. (1999). National employment systems and job autonomy: Why job autonomy is high in the Nordic countries and low in the United States, Canada, and Australia. *Organization Studies*, 20(2), 257-291.
- Docquier, F., & Marfouk, A. (2006). International Migration by Education Attainment, 1990-2000. In C. Ozden and M. Schiff (Eds), *International Migration, Brain Drain and Remittances* (pp. 151-199). New York: McMillan and Palgrave.
- Doeringer, P. B., & Piore, M. J. (1971). *International labor markets and manpower analysis*. Washington: Heath Lexington Books.
- Dolby, N., & Rahman, A. (2008). Research in international education. *Review of Educational Research*, 78(3), 676-726.
- Dörre, K., Kraemer, K., & Speidel, F. (2006). The increasing precariousness of the employment society: driving force for a new right wing populism?. *International Journal of Action Research*, 2(1), 98-128.
- Douglas, W.A., Ferguson, J.P., & Klett, E. (2004). An Effective Confluence of Forces in Support of Workers' Rights: ILO Standards, US Trade Laws, Unions, and NGOs. *Human Rights Quarterly*. 26(2): 273-299.
- Drezner, D. (2002, 17 December). Globalization and Policy Convergence. *International Studies Review*, 53-78.
- Drinkwater, S., Levine, P., Lotti, E., & Pearlman, J. (2003). *The economic impact of migration: A survey*. Hamburg: Hamburg Institute of International Economics.
- Dusek, G. A., Yurova, Y. V., & Ruppel, C. P. (2015). Using social media and targeted snowball sampling to survey a hard-to-reach population: A case study. *International Journal of Doctoral Studies*, 10, 279-299.
- Dustmann, C., Glitz, A., & Frattini, T. (2008). The labour market impact of immigration. *Oxford Review of Economic Policy*, 24(3), 477-494.
- Düvell, F., Triandafyllidou, A., & Vollmer, B. (2010). Ethical issues in irregular migration research in Europe. *Population, Space and Place*, 16(3), 227-239.

- Dyer, S., McDowell, L., & Batnitzky, A. (2008). Emotional Labour/Body Work: The Caring Labours of Migrants in the UK's National Health Service. *Geoforum*, 39, 2030-2038.
- Education Counts (2018). *International Students in New Zealand*. Retrieved from <https://www.educationcounts.govt.nz/statistics/international-education/international-students-in-new-zealand>
- Education Counts (2018a). *Tertiary education enrolments by international students*. Retrieved from https://www.educationcounts.govt.nz/statistics/indicators/main/student-engagement-participation/international_students_enrolled_in_formal_tertiary_education
- Education New Zealand (ENZ) (2018, August). *International Education Strategy: 2018- 2030*. Retrieved from <https://enz.govt.nz/assets/Uploads/International-Education-Strategy-2018-2030.pdf>
- ENZ (2018). *Annual Report 2016-2017*. Retrieved from <https://enz.govt.nz/assets/Uploads/Annual-Report-2016-17.pdf>
- ENZ (2018a, 6 June). *Trends in the number of international students enrolled with New Zealand providers*. Retrieved from <https://enz.govt.nz/assets/Uploads/Trends-in-the-number-of-international-students-enrolled-with-New-Zealand-providers.pdf>
- ENZ (2018b, 7 March). *International student enrolments are down but value holds*. [Press Media Release]. Retrieved from <https://enz.govt.nz/news-and-research/media-releases/international-student-enrolments-are-down-but-value-holds/>
- ENZ (2017). *International Student Enrolment Summary*. Retrieved from <https://enz.govt.nz/assets/Uploads/2017-T2-Student-Enrolments-Dashboard.pdf>
- Edwards, B. (2016). *The future of unions*. NZ Herald. Retrieved from https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11731947
- Ehrlich, P.F., McClellan, W.T., Ducatman, A., Helmkamp, J.C. & Islam, S. (2004). Understanding Work Related Injuries in Children: A Perspective in West Virginia using the State Managed Workers Compensation System. *Journal of Pediatric Surgery*, 39(5), 768-772.
- Elder, S. (2009). *International Labour Organization School-to-Work Transition Survey: A Methodological Guide. Module 4: Key Indicators of Youth Labour Markets: Concepts, Definitions and Tabulations*. Geneva: International Labour Organization.
- Ellem, B., & Franks, P. (2008). Trade union structure and politics in Australia and New Zealand. *Labour History: A Journal of Labour and Social History*, 95, 43-67.
- Elliot, K.A. (2000). *The International Labour Organisation and Enforcement of Core Labour Standards*. International Economic Policy Briefs. Retrieved from <http://www.iie.com/publications/pb/pb00-6.pdf>
- Enchautegui, M. E., & Malone, N. J. (1997). Female immigrants: A socio-economic portrait. *Migration World Magazine*, 25(4), 18.
- Ernst, C., Hagemeyer, K., Marcadent, P., & Oelz, M. (2012). *Decent work and empowerment for pro-poor growth*. Geneva: International Labour Organisation.

- Ethier, W.J. (1985, September). International trade and labor migration. *American Economic Review*, 75(4), 691-707.
- Evans, J., & Gibb, E. (2009). *Moving from precarious employment to decent work*. Geneva: GURN.
- Evans, J. R., & Mathur, A. (2005). The value of online surveys. *Internet Research*, 15(2), 195-219.
- Faugier, J., & Sargeant, M. (1997). Sampling hard to reach populations. *Journal of Advanced Nursing*, 26(4), 790-797.
- Feldman, D. C. (2006) Towards a new taxonomy for understanding the nature and consequences of contingent employment, *Career Development International*, 11(1) 28–47.
- Fenn, P., & Veljanovski, C.G. (1988). A Positive Economic Theory of Regulatory Enforcement. *The Economic Journal*, 98(393), 1055-1070.
- Findlay, A.M., King, R., Smith, F.M., Geddes, A., & Skeldon, R. (2012). World class? An investigation of globalisation, difference and international student mobility. *Transactions of the Institute of British Geographers*, 37, 118– 131.
- Findlay, A.M., & Li, F.L.N. (1999). Methodological issues in researching migration. *The Professional Geographer*, 51(1), 50-9.
- Fineman, M. A. (2008). The vulnerable subject: Anchoring equality in the human condition. *Yale Journal of Law & Feminism*, 20(1). Retrieved from <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1277&context=yjlf>
- First Union (2018). *Union Networks: UNEMIIG*. Retrieved from <https://www.firstunion.org.nz/our-union/union-networks/unemig>
- Ford, J., Bosworth, D. & Wilson, R. (1995) Part-time work and full-time higher education. *Studies in Higher Education*, 20(2), 187–202.
- Foster, L., Marshall, A., & Williams, L. S. (1991). *Discrimination against immigrant workers in Australia*. Geneva: International Labour Organization.
- Foxcroft (2019, June 14). *Bottle store employees not paid minimum wage, holiday pay*. Retrieved from <https://www.stuff.co.nz/business/113467751/employment-breaches-raise-questions-for-liquor-licensing>
- Frances, J., Barrientos, S., & Rogaly, B. (2005). *Temporary Workers in UK Agriculture and Horticulture: A Study of Employment Practices in the Agriculture and Horticulture Industry and Co-located Packhouse and Primary Food Sectors*. Framlingham: Precision Prospecting for the Department for the Environment, Food and Rural Affairs (DEFRA). Retrieved from <http://www.defra.gov.uk/farm/working/gangmasters/pdf/research-study1.pdf>
- Francis, C., & Field, M. (2011, December 1). *Cash jobs, crime drive black economy*. Retrieved from <http://www.stuff.co.nz/business/6065508/Cash-jobs-crime-drive-black-economy>
- Franks, D. (2009, June 14). *New Zealand government’s RSE scheme: “Brutal racist oppression”*. Retrieved from <https://fightback.org.nz/2009/06/14/new-zealand->

government%E2%80%99s-rse-scheme-%E2%80%9Cbrutal-racist-oppression%E2%80%9D/

- Freeman, G. P. (1995). Modes of immigration politics in liberal democratic states. *International Migration Review*, 29(4), 881-902.
- Freire, P. (1970). *Pedagogy of the Oppressed*. London: The Continuum Publishing Company.
- Fricke, R. D., & Schonlau, M. (2002). Advantages and disadvantages of Internet research surveys: Evidence from the literature. *Field Methods*, 14(4), 347-367.
- Friedberg, R. M., & Hunt, J. (1995). The impact of immigrants on host country wages, employment and growth. *Journal of Economic Perspectives*, 9(2), 23-44.
- Fuatai, T. (2017, 7 October). *Blacklisted for exploiting migrant workers in NZ*. Retrieved from <https://www.newsroom.co.nz/2017/10/04/51639/blacklisted-for-exploiting-migrant-workers-in-nz>
- Fudge, J. (2012). Precarious migrant status and precarious employment: The paradox of international rights for migrant workers. *Comparative Labor Law & Policy Journal*, 34, 95.
- Fudge, J., Tucker, E., & Vosko, L. (2002). *The legal concept of employment: marginalizing workers*. Retrieved from https://dalspace.library.dal.ca/bitstream/handle/10222/10303/Fudge_Tucker_Vosko%20Research%20Marginalized%20Workers%20EN.pdf?sequence=1
- Funkhouser, E. (1993). Do immigrants have lower unionization propensities than natives? *Industrial Relations*, 32(2), 248-261.
- Gallie, D., & White, M. (1995). Employer policies, employee contracts and labour market structure. In J. Rubery & F. Wilkinson (Eds), *Employer strategy and the labour market*. Oxford, UK: Oxford University Press.
- Garnaut, J. (2006, March 29). Universities being used as immigration 'factories'. *Sydney Morning Herald*. Retrieved from <http://www.smh.com.au/news/national/unis-used-asimmigration-factories/2006/03/29/1143441215915.html>
- Garson, J.P. (1999). *Where do illegal migrants work?* Paris, OECD Observer, 219.
- Gerritsen, J. (2019). *Fewer foreign students enrolling in tertiary study*. Retrieved from <https://www.rnz.co.nz/news/national/381331/fewer-foreign-students-enrolling-in-tertiary-study>
- Giddens, A., Held, D., Hubert, D., Seymour, D., & Thompson, J. (1994). The polity reader in social theory. *Cambridge: Polity Press*.
- Giddings, L. S., & Grant, B. M. (2006). Mixed methods research for the novice researcher. *Contemporary Nurse*, 23(1), 3-11.
- Gill, S. (1995). Globalisation, Market Civilisation and Disciplinary Neo-liberalism. *Journal of International Studies*, 24(3), 399-423.
- Giuliano, P., & Ruiz-Arranz, M. (2009). Remittances, financial development, and growth. *Journal of Development Economics*, 90(1), 144-152.

- Glick Schiller, N., Basch, L., & Blanc-Szanton, C. (1992). Towards a definition of transnationalism. Introductory remarks and research questions. *Annals of the New York Academy of Sciences*, 645(1), ix-xiv.
- Godard, J. (2001). New dawn or bad moon rising? Large scale government administered workplace surveys and the future of Canadian IR research. *Relations Industrielles*, 56(1), 3-33.
- Gois, W., & Campbell, K. (2013). Stranded migrants: a call to rethink the current labour migration paradigm. *Migration and Development*, 2(2), 157-172.
- Golafshani, N. (2003). Understanding Reliability and Validity in Qualitative Research. *The Qualitative Report*, 8(4), 597-606.
- Goldin, C. (1994). The political economy of immigration restriction in the United States, 1890 to 1921. In *The regulated economy: A historical approach to political economy* (pp. 223-258). Chicago: University of Chicago Press.
- Goldring, L., Berinstein, C., & Bernhard, J. K. (2009). Institutionalizing precarious migratory status in Canada. *Citizenship Studies*, 13(3), 239-265.
- Gonzales, F., Jensen, J. B., Kim, Y., & Nordås, H. K. (2012). Globalisation of services and jobs. *Policy Priorities for International Trade and Jobs*, 175.
- Gopinath, D. (2015). Characterizing Indian students pursuing global higher education: A conceptual framework of pathways to internationalization. *Journal of Studies in International Education*, 19(3), 283-305.
- Gorodzeisky, A., & Richards, A. (2013). Trade unions and migrant workers in Western Europe. *European Journal of Industrial Relations*, 19(3), 239-254.
- Gravel, S., Rhéaume, J., & Legendre, G. (2009). *Strategies to develop and maintain occupational health and safety measures in small businesses employing immigrant workers in an urban area in Montreal*. Retrieved from [http://www.use2009.dk/Background/Workshops/~media/use2009/paper%20%20gravel.ashx](http://www.use2009.dk/Background/Workshops/~/media/use2009/paper%20%20gravel.ashx)
- Grebennikov, L., & Skaines, I. (2008). University of Western Sydney students at risk: Profile and opportunities for change. *Journal of Institutional Research*, 14(1), 58-70.
- Green, F. (2006). *Demanding work: The paradox of job quality in the affluent economy*. Princeton: Princeton University Press.
- Green, A., Owen, D., & Jones, P. (2007). *The Economic Impact of Migrant Workers in the West Midlands*. Coventry: West Midlands Regional Observatory.
- Grey, C., & Sturdy, A. (2007). Friendship and organizational analysis: Toward a research agenda. *Journal of Management Inquiry*, 16(2), 157-172.
- Gribble, C. (2014). Employment, work placements & work integrated learning of international students in Australia. *International Education Association of Australia Research Digest*, 2.

- Gribble, C. (2008). Policy options for managing international student migration: the sending country's perspective. *Journal of Higher Education Policy and Management*, 30(1), 25-39.
- Guan, X., & Jones, G. (2011). Unlearning and relearning: Chinese students in a New Zealand first year undergraduate class. *New Zealand Journal of Teachers' Work*, 8(2).
- Guba, E. G., & Lincoln, Y. S. (2005). Paradigmatic Controversies, Contradictions, and Emerging Confluences. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage handbook of qualitative research* (pp. 191-215). Thousand Oaks: Sage Publications Ltd.
- Guba, E. G., & Lincoln, Y. S. (1994). Competing paradigms in qualitative research. *Handbook of qualitative research*, 2(163-194), 105.
- Guerin-Gonzalez, C. and Strikwerda, C. (1993). *The Politics of Immigrant Workers: Labor Activism and Migration in the World Economy since 1830*. New York & London: Holmes & Meier.
- Guest, G., Bunce, A., & Johnson, L. (2006). How Many Interviews Are Enough?: An Experiment with Data Saturation and Variability. *Field Methods*, 18(1), 59-82
- Guidry Lacina, J. (2002). Preparing international students for a successful social experience in higher education. *New Directions for higher education*, 117, 21-28.
- Gumbrell-McCormick, R., & Hyman, R. (2013). *Trade Unions in Western Europe: Hard Times, Hard Choices*. Oxford: Oxford University Press.
- Gupta, A. (2013). Environment & PEST analysis: an approach to the external business environment. *International Journal of Modern Social Sciences*, 2(1), 34-43.
- Guthman, J. (2004). *Agrarian Dreams: The Paradox of Organic Farming in California*. Berkeley, CA: University of California Press.
- Gwyther, G., & Possamai-Inesedy, A. (2009). Special Issue: New methods in social justice research for the 21st century. *International Journal of Social Research Methodology*, 12(2), 97-98.
- Hagen, T. (2002). Do Temporary Workers Receive Risk Premiums? Assessing the Wage Effects of Fixed-term Contracts in West Germany by a Matching Estimator Compared with Parametric Approaches. *Labour*, 16(4), 667-705.
- Hagey, R., Choudhry, U., Guruge, S., Turriffin, J., Collins, E., & Lee, R. (2001). Immigrant nurses' experience of racism. *Journal of Nursing Scholarship*, 33(4), 389-394.
- Hakim, C. (1990). Core and periphery in employers' workforce strategies: evidence from the 1987 ELUS survey. *Work, Employment and Society*, 4(2), 157-188.
- Hansen, E., & Donohoe, M. (2003). Health issues of migrant and seasonal farmworkers. *Journal of Health care for the Poor and Underserved*, 14(2), 153-164.
- Hanson, G. H. (2009). The economic consequences of the international migration of labor. *Annu. Rev. Econ.*, 1(1), 179-208.
- Hardy, T. (2011). Enrolling Non-State Actors to Improve Compliance with Minimum Employment Standards. *The Economic and Labour Relations Review*, 3, 117-140.

- Harrison, J. L., & Lloyd, S. E. (2012). Illegality at work: Deportability and the productive new era of immigration enforcement. *Antipode*, 44(2), 365-385.
- Haque, R. (2002). *Migrants in the UK: A Descriptive Analysis of their Characteristics and Labour Market Force Survey*. London: Refugee Council.
- Hawthorne, L., & To, A. (2014). Australian Employer Response to the Study-Migration Pathway: The Quantitative Evidence 2007-2011. *International Migration*, 52(3), 99-115.
- Hawthorne, L. (2010). How valuable is “two-step migration”? Labor market outcomes for international student migrants to Australia. *Asian and Pacific Migration Journal*, 19(1), 5-36.
- Hawthorne, L. (2009). The growing global demand for students as skilled migrants. In Migration Policy Institute (Eds), *Talent, Competitiveness and Migration: The Transatlantic Council on Migration* (pp. 362– 398). Germany: Bertelsmann Stiftung.
- Hawthorne, L. (2005). “Picking winners”: The recent transformation of Australia's skilled migration policy. *International migration review*, 39(3), 663-696.
- Haley, A. (2017). *Geographical Mobility of the Tertiary Educated—Perspectives from Education and Social Space*. Sweden: Gothenburg Studies in Educational Sciences.
- Hannif, Z., & Lamm, F. (2005). When non-standard work becomes precarious: Insights from the New Zealand call centre industry. *The International Review of Management Studies*, 16 (3), 324-350.
- Harris, N. (2002). *Thinking the Unthinkable. The Immigration Myth Exposed*. London: I.B. Tauris Publishers.
- Hayter, T. (2000). *Open borders: The case against immigration controls*. London: Pluto Press.
- Hayward, K. (2013). How Do New Zealand Labour Standards Comply with the ILO’s Conventions and Recommendations Implemented after 1980 and the Introduction of Neo-Liberalism? *Waikato Law Review*, 21, 158-179.
- Haus, L., & Haus, L. H. (2002). *Unions, immigration, and internationalization: New challenges and changing coalitions in the United States and France*. New York; Basingstoke: Palgrave Macmillan.
- Hearps, R. (2016, April 16). *Global Trends & Disruptors in International Student Referrals*. Paper presented at ANZA Workshop, Melbourne.
- Helyer, R., & Lee, D. (2014). The role of work experience in the future employability of higher education graduates. *Higher Education Quarterly*, 68(3), 348-372.
- Heron, M. (2016, 8 September). Migrant workers paid \$8/hr, exploited, report reveals. Retrieved from [https://www.radionz.co.nz/news/political/312808/migrant-workers-paid-\\$8-hr,-exploited,-report-reveals](https://www.radionz.co.nz/news/political/312808/migrant-workers-paid-$8-hr,-exploited,-report-reveals)
- Herzenberg, S., Alic, J., & Wial, H. (1998). *New Rules for a New Economy: Employment and Opportunity in Post industrial America*. Ithaca: ILR Press.

- Ho, E., Li, W., Cooper, J., & Holmes, P. (2007). *The Experiences of Chinese International Students in New Zealand*. Wellington: Education New Zealand.
- Ho, J. K. K. (2014). Formulation of a systemic PEST analysis for strategic analysis. *European Academic Research*, 2(5), 6478-6492.
- Hodson, R. (2001). *Dignity at Work*. Cambridge: Cambridge University Press.
- Holgate, J., Pollert, A., Keles, J., & Kumarappan, L. (2012). Union decline and voice among minority ethnic workers: do community-based social networks help to fill the gap? *Urban Studies*, 49(3), 613-630.
- Holmes, E., Davies, A., Wright, C., Pearce, N., & Borman, B. (2011). Mortality rates according to occupation in New Zealand males: 2001-2005. *The New Zealand Medical Journal* 124(1328).
- Horticulture NZ & New Zealand Institute of Plant and Food Research (2010). *Fresh Facts: New Zealand Horticulture 2010*. Retrieved from <http://www.plantandfood.co.nz/file/freshfacts-brochure-2010.pdf>
- Houseman, S. N., Kalleberg, A. L., & Erickcek, G. A. (2003). The role of temporary agency employment in tight labor markets. *ILR Review*, 57(1), 105-127.
- Houseman, S. N., & Polivka, A. E. (2000). The implications of flexible staffing arrangements for job stability. *On the job: Is long-term employment a thing of the past*. In D. Neumark (Ed.), *On the Job: Is Long-Term Employment a Thing of the Past?* (pp. 427–462). New York: Russell Sage Foundation.
- Howells, S. (2011). *Report of the 2010 review of the Migration Amendment (Employer Sanctions) Act 2007*. Canberra: Commonwealth of Australia, Department of Immigration and Citizenship. Retrieved from http://www.immi.gov.au/media/publications/compliance/review-employersanctions/pdf/howells_report.pdf
- Human Rights Commission (2018). *Rights of Migrants*. Retrieved from https://www.hrc.co.nz/files/8014/2388/0518/HRNZ_10_rights_of_migrants.pdf
- Human Rights Commission (2011). *Breaking through: Young people at work*. Retrieved from https://www.hrc.co.nz/files/2814/4910/7293/Final_report-28Jan11.pdf
- Hunter, L., & MacInnes, J. (1992, June). Employers and labour flexibility: The evidence from case studies. *Employment Gazette*, 307–315.
- Hurd, R. (2004). The failure of organizing, the New Unity Partnership, and the future of the labor movement. *The Journal of Labor and Society*, 8, 5–25.
- ICEF (2018). Education is New Zealand's Fourth Largest Export. ICEF. Retrieved from <https://monitor.icef.com/2018/11/education-now-new-zealands-fourth-largest-export-sector/>
- Illuminate Consulting Group (2014, July). *Export Education in New Zealand: A Strategic Approach to Developing the Sector*. Wellington: Education Counts.

- International Confederation of Free Trade Unions (ICFTU). (2005, 12 September). *The Decent Work Agenda and Achieving the Millennium Development Goals: A Background Paper*. Paper presented at the Trade Union Seminar, New York.
- International Confederation of Free Trade Unions (ICFTU). (2001, 15-16 March). *Informal or unprotected work: Conclusions and Recommendations for the Task Force*. Paper presented at the Informal Sector Meeting, Brussels.
- International Graduate Insight Group Ltd (2011). *Comparative Analysis of New Zealand and Main Competitor Countries*. Wellington: Education New Zealand.
- International Labour Office (2009). *Guide to the New Millennium Development Goals including the Full Set of Decent Work Indicators*. Geneva: International Labour Office Employment Sector.
- International Labour Office (1992). *International Standard Classification of Occupations (ISCO-88)*. Geneva: International Labour Organisation.
- (ILO, 2019). *Up-to-date Conventions and Protocols not ratified by New Zealand*. Retrieved from https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11210:0::NO::P11210_COUNT_RY_ID:102775
- ILO (2019a). *Tripartite constituents*. <https://www.ilo.org/global/about-the-ilo/who-we-are/tripartite-constituents/lang--en/index.htm>
- ILO (2018). *Decent Work*. Retrieved from <https://www.ilo.org/global/topics/decent-work/lang--en/index.htm>
- ILO (2018). *Women and men in the informal economy: A statistical picture*. (4th ed.). Geneva: ILO.
- ILO (2018a). *Declaration on Fundamental Principles and Rights at Work*. Retrieved from https://www.ilo.org/actrav/areas/WCMS_DOC_ATR_ARE_DECL_EN/lang--en/index.htm
- ILO (2006). *ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration*. Geneva: International Labour Organisation.
- ILO (2002). *Report VI. Decent Work and the Informal Economy*. International Labour Conference 90th Session. Geneva. Retrieved from ILO (2001). *Youth and work: global trends*. Geneva: International Labour Organisation.
- Immigration NZ (2019). *Information about Entrepreneur Work Visa*. Retrieved from <https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/about-visa/entrepreneur-work-visa>
- Immigration NZ (2019a). *Recognised Seasonal Employer (RSE) Scheme*. Retrieved from <https://www.immigration.govt.nz/about-us/research-and-statistics/research-reports/recognised-seasonal-employer-rse-scheme>
- Immigration NZ (2018). *Evidence of funds to support your study*. Retrieved from <https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/tools-and-information/education-quals-study/evidence-of-funds-requirements-for-applicants-in-india>

- Immigration New Zealand (2018a). *All visa options for living permanently*. Retrieved from <https://www.immigration.govt.nz/new-zealand-visas/options/live-permanently/all-resident-visas>
- Immigration New Zealand (2018b). *Visas to study*. Retrieved from <https://www.newzealandnow.govt.nz/move-to-nz/new-zealand-visa/new-zealand-student-visa>
- Immigration NZ (2017, 15 December). *Essential Skills in Demand List review 2017*. Retrieved from <https://www.immigration.govt.nz/about-us/media-centre/news-notifications/esid-review-2017>
- Infometrics & NRB (2016). *The Economic Impact of Export Education 2015/16*. Retrieved from <https://enz.govt.nz/assets/Uploads/The-Economic-Impact-of-International-Education-in-New-Zealand-2015-2016.pdf>
- Infometrics, NRB, & Skinnerstrategic (2008). *The Economic Impact of Export Education*. Retrieved from <https://www.educationcounts.govt.nz/publications/international/35364>
- Inland Revenue (2011). *Key successes from our 2010-11 compliance focus*. Retrieved from <http://www.storeyandassociates.co.nz/wp-content/uploads/2012/06/Inland-Revenues-Compliance-Focus-2011-2012.pdf>
- Institute for Public Policy Research (2005). *Selecting Wisely: Making managed migration work for Britain*. London: Institute for Public Policy Research.
- IOM (2018). *Key Migration Terms*. Retrieved from <https://www.iom.int/key-migration-terms>
- Irastorza, N. (2010). *Born entrepreneurs? immigrant self-employment in Spain*. Amsterdam: Amsterdam University Press.
- Jackling, B. (2007). The lure of permanent residency and the aspirations and expectations of international students studying accounting in Australia. *People and Place*, 15(3), 31.
- James, P. & Walters, D. (2011) Supply chains and the protection of vulnerable workers. In M. Sargeant and M. Giavannone (Eds.), *Vulnerable Workers: Health, Safety, and Well-Being* (pp. 57-74). Surrey: Gower Eds.
- Jayaweera, H., & Anderson, B. (2009). *Migrant Workers and Vulnerable Employment: A Review of Existing Data*. Report for TUC Commission on Vulnerable Employment. UK: Centre on Migration Policy and Society.
- Jena, F., & Reilly, B. (2013). The determinants of United Kingdom student visa demand from developing countries. *IZA Journal of Labor & Development*, 2(1), 6.
- Jensen, J. (1998). *Mapping Social Cohesion: The State of Canadian Research*. Ottawa: Canadian Policy Research Network Study No. F03. Retrieved from http://www.cprn.org/docs/family/msc2_e.pdf
- Jesson, B. (1999). *Only Their Purpose is Mad, The Money Men Take Over NZ*. Palmerston North: Dunmore.
- Johnson, T., & Owens, L. (2003, May). *Survey response rate reporting in the professional literature*. Presented at the 58th Annual Meeting of the American Association for Public Opinion Research, Nashville.

- Johnstone, D. B. (2004). Higher education finance and accessibility: Tuition fees and student loans in sub-Saharan Africa. *Journal of Higher Education in Africa*, 2(2), 11-36.
- Jolliff, E. (2018). *International student numbers set to drop under Government changes to work rights*. Retrieved from <https://www.newshub.co.nz/home/politics/2018/08/international-student-numbers-set-to-drop-under-government-s-changes-to-work-rights.html>
- Jones, N. (2017, 22 August). *Policy series: where do the parties stand on immigration?* Retrieved from https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11907957
- Kahanec, M., & Králiková, R. (2011). *Pulls of international student mobility*, IZA Discussion Papers, No. 6233. Bonn: Institute for the Study of Labor (IZA). Retrieved from <http://nbn-resolving.de/urn:nbn:de:101:1-201202285025>
- Kalafatelis, E.; de Bonnaire, C., & Alliston, L. (2018). *Beyond the Economic – How International Education Delivers Broad Value for New Zealand*. Wellington: Research New Zealand. Retrieved from <http://www.researchnz.com/pdf/Media%20Releases/2018/Beyond-the-economic-How-international-education-delivers-broad-value-for-New-Zealand.pdf>
- Kalleberg, A. L. (2011). *Good jobs, bad jobs: The rise of polarized and precarious employment systems in the United States, 1970s-2000s*. New York: Russell Sage Foundation.
- Kalleberg, A. L. (2009). Precarious work, insecure workers: Employment relations in transition. *American Sociological Review*, 74(1), 1-22.
- Kalleberg, A. L. (2001). Organizing flexibility: the flexible firm in a new century. *British Journal of Industrial Relations*, 39(4), 479-504.
- Kalleberg, A.L. & Epstein, C.F. (2001, March). Introduction: Temporal dimensions of employment relations. *American Behavioral Scientist*, 44(7), 1064-1075.
- Kalleberg, A. L., Reskin, B. F., & Hudson, K. (2000). Bad jobs in America: Standard and nonstandard employment relations and job quality in the United States. *American Sociological Review*, 256-278.
- Kang, S. (2015). *Excel sheets of the results of an on-line survey for Korean migrants on behalf of 'Know Your Rights'*. Australia: Legal Empowerment Programme.
- Kaplowitz, M. D., Hadlock, T. D., & Levine, R. (2004). A comparison of web and mail survey response rates. *Public Opinion Quarterly*, 68(1), 94-101.
- Kaur, A. (2010). Labour migration in Southeast Asia: migration policies, labour exploitation and regulation. *Journal of the Asia Pacific Economy*, 15(1), 6-19.
- Kelley, K., Clark, B., Brown, V., & Sitzia, J. (2003). Good practice in the conduct and reporting of survey research. *International Journal for Quality in Health Care*, 15(3), 261-266.
- Kelloway, E. K., Teed, M., & Kelley, E. (2008). The psychosocial environment: Towards an agenda for research. *International Journal of Workplace Health Management*, 1(1), 50-64.
- Khawaja, N.G. & Dempsey, J. (2008). A comparison of International and Domestic Tertiary Students in Australia. *Australian Journal of Guidance & Counselling*, 18(1), 30-46.

- Khoo, E.K., & Birrell, B. (2002). The Progress of Young People of Migrant Origin in Australia. *People and Place*, 10(2), 30-44.
- Kim, J.H. (2008). *Career expectations and requirements of undergraduate hospitality students and the hospitality industry: An analysis of differences*. (Masters thesis). Auckland: AUT.
- Kincheloe, J. L. (2005). *Critical Constructivism Primer*. New York: Peter Lang.
- Kincheloe, J. L., & McLaren, P. (2005). Rethinking Critical Theory and Qualitative Research. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage Handbook of Qualitative Research* (3rd ed, pp. 303–342). Boston: Sage Publications.
- King, N., Cassell, C., & Symon, G. (2004). Using templates in the thematic analysis of text. *Essential guide to qualitative methods in organizational research*, 2, 256-70.
- King, R. (2000). Generalizations from the history of return migration. Return migration: journey of hope or despair? In B. Ghosh (Ed.), *Return Migration: Journey of Hope or Despair?* Geneva: International Organisation for Migration.
- King, R., Findlay, A., & Ahrens, J. (2010). *International student mobility literature review*. Report to HEFCE, and co-funded by the British Council, UK National Agency for Erasmus. Higher Education Funding Council. Retrieved from http://www.britishcouncil.org/hefce_bc_report2010.pdf
- King, R., Lulle, A., Parutis, V., & Saar, M. (2015). *Young Baltic graduates living and working in London: From peripheral region to escalator region in Europe*. Working Paper 82. Sussex: University of Sussex Centre for Migration Research
- King, R., & Sondhi, G. (2016). Gendering international student migration: A comparison of UK and Indian students' motivations and experiences of studying abroad. Working Paper No. 84. Sussex: University of Sussex Centre for Migration Research.
- Kirchler, E. (1999). Reactance to taxation: Employers' attitudes towards taxes. *Journal of Socio-Economics*, 28(2), 131–138.
- Kirton, G., & Healy, G. (2004). Shaping union and gender identities: a case study of women-only trade union courses. *British Journal of Industrial Relations*, 42(2), 303-323.
- Kothari, U. (2003). Staying Put and Staying Poor? *Journal of International Development*, 15(5), 645-657.
- Kranendonk, M., & De Beer, P. (2016). What explains the union membership gap between migrants and natives? *British Journal of Industrial Relations*, 54(4), 846-869.
- Krishnan, R. (2013, 25 June). *Why Indian restaurants pay their chefs \$4 an hour*. Stuff. Retrieved from <http://www.stuff.co.nz/Auckland/local-news/local-blogs/dark-matter/8839096/Why-Indian-restaurants-pay-their-chefs-4-an-hour>
- Kritz, M.M. (2006, 28-30 June). *Migration and Globalization of Tertiary Education: International Student Mobility*. Paper presented at the United Nations International Symposium on International Migration and Development, Turin, Italy.
- Krumpal, I. (2013). Determinants of social desirability bias in sensitive surveys: a literature review. *Quality & Quantity*, 47(4), 2025-2047.

- Kukatlapalli, J. (2016). *A study of the adjustment experiences of Indian international students in New Zealand universities*. (Doctoral thesis). Wellington: Victoria University.
- Kuzel, A. (1992). Sampling in qualitative inquiry. In B. Crabtree & W. Miller (Eds.), *Doing qualitative research* (pp. 31–44). Newbury Park, CA: Sage.
- Kwiek, M. (2001). Globalization and higher education. *Higher Education in Europe*, 26(1), 27-38.
- Kwon, Y. (2009). Factors affecting international students' transition to higher education institutions in the United States. *College Student Journal*, 43(4).
- Labott, S. M., Johnson, T. P., Fendrich, M., & Feeny, N. C. (2013). Emotional risks to respondents in survey research: some empirical evidence. *Journal of Empirical Research on Human Research Ethics*, 8(4), 53-66.
- Labor Rights (2012). *Decent Work*. Retrieved from <http://www.laborrights.org/decent-work>
- Lamm, F. (2014). The Challenges of Researching OHS of Vulnerable Workers in Small Culturally Diverse Businesses. Special issue of *Small Enterprise Research Journal*, 21(2), 161-179.
- Lamm, F., & Walters, D. (2004). Regulating occupational health and safety in small businesses. In *OHS Regulation for a Changing World of Work*. (pp. 94-119). Sydney: Federation Press.
- Larner, W. (1997). “A means to an end”: neoliberalism and state processes in New Zealand. *Studies in Political Economy*, 52(1), 7-38.
- Larson, A. (2001). Environmental/occupational safety and health. *Migrant Health Issues*, 8.
- Laxon, A. (2016, 5 December). *Student visa fraud: 'It's not about education'*. NZ Herald. Retrieved from https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11759352
- Laxon, A. (2012, July 25). *Sham student visas used in orchard jobs rort - ex-worker*. *New Zealand Herald*. Retrieved from www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10821899
- Lee, J. S., Koeske, G. F., & Sales, E. (2004). Social support buffering of acculturative stress: A study of mental health symptoms among Korean international students. *International Journal of Intercultural Relations*, 28(5), 399-414.
- Lee, J. J., & Ok, C. (2011). *Effects of workplace friendship on employee job satisfaction, organizational citizenship behavior, turnover intention, absenteeism, and task performance*. Retrieved from https://scholarworks.umass.edu/cgi/viewcontent.cgi?article=1053&context=gradconf_hospitality
- Legg, S., Laird, I., Lamm, F., & Massey, C. (2010). *Technical Report on OHS in Small Businesses*. Wellington: NOHSAC Technical Report.
- Li, Y. T. (2017). Constituting co-ethnic exploitation: The economic and cultural meanings of cash-in-hand jobs for ethnic Chinese migrants in Australia. *Critical Sociology*, 43(6), 919-932.

- Li, M., & Green, M. (2003, 24 September - 1 October). Export education and sustainable development. *New Zealand Education Review*, 8(37), 6.
- Lilley, R., Samaranayaka, A., & Weiss, H. (2013). *International comparison of International Labour Organisation published occupational fatal injury rates: How does New Zealand compare internationally* (Commissioned report for the Independent Taskforce on Workplace Health and Safety). Retrieved from <http://hstaskforce.govt.nz/documents/comparison-of-ilo-published-occupational-fatal-injury-rates.pdf>
- Lindbeck, A., & Snower, D. J. (1989). Macroeconomic policy and insider power. *The American Economic Review*, 79(2), 370-376.
- Lincoln, Y. S., & Denzin, N. K. (Eds.). (2000). *The handbook of qualitative research*. Thousand Oaks: Sage.
- Lindsay, R. O., & Paton-Saltzberg, R. (1994). *The effects of paid employment on the academic performance of full-time students in a British 'new' university*. Oxford: Oxford Brookes University.
- Loh, K., & Richardson, S. (2004). Foreign-born Workers: Trends in Fatal Occupational Injuries. *Monthly Labor Review*, 127(6), 42-53.
- London School of Economics (2007). *The Impact of Recent Immigration on the London Economy*. London: City of London Corporation.
- López Sala, A., Molinero Gerbeau, Y., Jolivet-Guetta, M., Eremenko, T., Beauchemin, C., Samuk, S., & Consterdine, E. (2016). *Seasonal immigrant workers and programs in UK, France, Spain and Italy*. Working Paper. Spain: Proyecto Temper.
- Louie, A., Ostry, A., Quinlan, M., Keegel, T., Shoveller, J., & LaMontagne, A. (2006). Empirical study of employment arrangements and precariousness in Australia. *Relations Industrielles/Industrial Relations*, 61(3), 465-489.
- Lovejoy, K., & Saxton, G. D. (2012). Information, community, and action: How nonprofit organizations use social media. *Journal of Computer-mediated Communication*, 17(3), 337-353.
- Lovelock, K., & Leopold, T. (2008). Labour Force Shortages in Rural New Zealand: Temporary Migration and the Recognised Seasonal Employer (RSE) Work Policy. *New Zealand Population Review*, 33/34, 213-234.
- Lucas, R. E. (2004). International migration regimes and economic development. *Report for the expert group on development issues (EGDI)*. Sweden: Swedish Ministry of Foreign Affairs.
- Lucio, M. M., & Perrett, R. (2009). The diversity and politics of trade unions' responses to minority ethnic and migrant workers: The context of the UK. *Economic and Industrial Democracy*, 30(3), 324-347.
- MacLennan, C. (2018). *Migrant Filipino Workers in The Construction Industry*. Retrieved from <https://etu.nz/wp-content/uploads/2018/08/Migrant-Filipino-Workers-in-the-Construction-Industry-Report-for-E-t%C5%AB.pdf>

- Mackenzie, R. & Forde, C. (2009). The Rhetoric of the “Good Worker” versus the Realities of Employers’ Use of the Experiences of Migrant Workers. *Work, Employment and Society*, 23(1), 142-159.
- Mathers, N. Fox, N., & Hunn, A. (2009). *Sampling and Sample Size Calculation*. The NIHR RDS for the East Midlands/Yorkshire & the Humber. United Kingdom: NHS.
- Manthei, R.J. & Gilmore, A. (2005). The Effect of Paid Employment on University Students’ Lives. *Education and Training*, 47(2/3), 202-215.
- Mao, H. Y. (2006). The relationship between organizational level and workplace friendship. *The International Journal of Human Resource Management*, 17(10), 1819-1833.
- Mao, H. Y., Hsieh, A. T., & Chen, C. Y. (2012). The relationship between workplace friendship and perceived job significance. *Journal of Management & Organization*, 18(2), 247-262.
- Marginson, S. (2012). Including the other: Regulation of the human rights of mobile students in a nation-bound world. *Higher Education*, 63(4), 497-512.
- Marginson, S. & van der Wende, M. (2007). *Globalisation and Higher Education*. Education Working Paper No. 8. Paris: OECD.
- Martin, C., De Borde, M. P., Guarnieri, F., & Lamm, F. (2010, November). OHS in Small and Medium-Size Enterprises and the Issue of Cultural Diversity: Ongoing Research in the Construction Industry. In *14th Labour Employment and Work Conference*, Wellington.
- Martin, N., Morales, S., & Theodore, N. (2007). Migrant worker centers: contending with downgrading in the low-wage labor market. *GeoJournal*, 68(2-3), 155-165.
- Marshall, C., & Rossman, G. (2006). *Redesigning qualitative research*. Thousand Oaks: Sage.
- Mason, G. (2012). Naming the ‘R’word in racial victimization: Violence against Indian students in Australia. *International Review of Victimology*, 18(1), 39-56.
- Massey, D. S. (1990). Social structure, household strategies, and the cumulative causation of migration. *Population Index*, 56(1), 3-26.
- Matthews, G., & Ruhs, M. (2007). *Are You Being Served?: Employer Demand for Migrant Labour in the UK's Hospitality Sector*. Oxford: COMPAS.
- Mauceri, S. (2014). Mixed strategies for improving data quality: the contribution of qualitative procedures to survey research. *Quality & Quantity*, 48(5), 2773-2790.
- May, J., Wills, J., Kavita, D., Yara, E., Herbert, J., & McIlwaine, C. (2006). *The British State and London's Migrant Division of Labour*. London: Queen Mary University of London.
- Mayhew, C., & Quinlan, M. (2002). Fordism in the fast food industry: pervasive management control and occupational health and safety risks for young temporary workers. *Sociology of Health & Illness*, 24(3), 261-284.
- Mazzarol, T., & Soutar, G. (2002). “Push-Pull” Factors Influencing International Student Destination Choice. *The International Journal of Educational Management*, 16, 82-90.
- Ministry of Business Innovation and Employment (MBIE) (2019). *International Labour Organisation*. Retrieved from <https://www.mbie.govt.nz/business-and->

employment/employment-and-skills/our-international-labour-relations/international-labour-organisation/

- MBIE (2018). *International Labour Conventions Ratified by New Zealand*. Retrieved from <https://www.mbie.govt.nz/assets/0a9265ba54/international-labour-conventions-ratified-by-nz.pdf>
- MBIE (2018a). *Consultation on immigration settings for international students*. Wellington:MBIE.
- MBIE (2017). *Small Businesses in New Zealand: How do they compare with larger firms?* Retrieved from <https://www.beehive.govt.nz/sites/default/files/2017-12/Small%20Business%20-%20Annex%203%20Small%20Business%20Factsheet.pdf>
- MBIE (2013). *International students in non-compliant employment*. Wellington: MBIE. Retrieved from <https://www.mbie.govt.nz/dmsdocument/2740-international-students-non-compliant-employment-pdf>
- McDonald, P., Bailey, J., Oliver, D., & Pini, B. (2007). Compounding Vulnerability? Young Workers' Employment Concerns and the Anticipated Impact of the Work Choices Act. *Australian Bulletin of Labour*, 33(1), 60-89.
- McInnis, C., & Hartley, R. (2002) *Managing Study and Work, The Impact of Full- Time Study and Paid Work on the Undergraduate Experience in Australian Universities*. Canberra: Evaluations and Investigations Programme, Department of Science, Education and Training.
- McKay, S., Craw, M., & Chopra, D. (2006). *Migrant Workers in England and Wales: An Assessment of Migrant Worker Health and Safety Risks*. London: Health and Safety Executive.
- McKenzie-McLean, J. (2019, 5 April). *Lack of available workers leaves fruit harvest short across New Zealand*. Retrieved from <https://www.stuff.co.nz/business/111605419/lack-of-available-workers-leaves-fruit-harvests-short-across-new-zealand>
- McLaren, E., Firkin, P., Spoonley, P., Dupuis, A., de Bruin, A. & Inkson, K. (2004). *At the Margins: Contingency, Precariousness and Non-Standard Work. Research Report 2004/1*. Albany/Palmerston North: Labour Market Dynamics Research Programme. Massey University.
- McLaughlin, J., & Hennebry, J. (2013). Pathways to precarity: structural vulnerabilities and lived consequences for migrant farmworkers in Canada. *Producing and negotiating non-citizenship: Precarious legal status in Canada*, 175-194.
- McLeod, K., & Maré, D. (2013). *The rise of temporary migration in New Zealand and its impact on the labour market*. Wellington, Ministry of Business, Innovation and Employment.
- Mekkodathil, A., El-Menyar, A., & Al-Thani, H. (2016). Occupational injuries in workers from different ethnicities. *International Journal of Critical Illness and Injury Science*, 6(1), 25.
- Merwood, P. (2007). *International Students: Studying and staying on in New Zealand*. Wellington: Department of Labour. Retrieved from M.B. Miles, & M.A. Huberman

- (1994). *Qualitative Data Analysis: An Expanded Sourcebook* (2nd ed.). USA: Sage Publications.
- Millward, N., Stevens, M., Smart, & Hawes, W.R. (1992). *Workplace industrial relations in transition*. UK: Dartmouth: Aldershot.
- Ministry of Education (2018). *International student wellbeing strategy funding round 2017/18 outcomes*. Retrieved from <https://www.education.govt.nz/school/funding-and-financials/other-types-of-funding/international-student-wellbeing-strategy-201920-funding-round-dates/>
- Ministry of Social Development (2011). *Regional Fact Sheet- Bay of Plenty Region, June 2011*. Wellington: Centre for Social Research and Evaluation, Ministry of Social Development.
- Minto, J. (2009). *Migrant Workers: A Unionists Position*. Unite Union. Retrieved from <http://www.unite.org.nz/node/595>
- Misra, N. (2007). The push & pull of globalization: How the global economy makes migrant workers vulnerable to exploitation. *Human Rights Brief*, 14(3), 1.
- Misra, R., Crist, M., & Burant, C. J. (2003). Relationships among life stress, social support, academic stressors, and reactions to stressors of international students in the United States. *International Journal of Stress Management*, 10(2), 137.
- Mkanshi, M., & Acheampong, E. A. (2012). Research philosophy debates and classifications: students' dilemma. *Electronic Journal of Business Research Methods*, 10(2), 132-140.
- Mori, S. C. (2000). Addressing the mental health concerns of international students. *Journal of Counseling & Development*, 78(2), 137-144.
- Morrison, R. L., & Nolan, T. (2007). Too Much of a Good Thing? Difficulties with Workplace Friendships. *University of Auckland Business Review*, 9(2), 32.
- Morrison, A (1999, November). *Small Business in New Zealand*. Parliamentary Library Background Paper No. 21. Wellington: NZ Parliamentary Library.
- Mok, K.H., Han, X., Jiang, J., & Zhang, X. (2018). International and transnational education for whose interests? A study on the career development of Chinese students. *Higher Education Quarterly*, 72(3), 208-223.
- Molini, V., Pavelesku, D., & Ranzani, M. (2016). *Should I stay or should I go? Internal migration and household welfare in Ghana*. Washington: The World Bank.
- Moyce, S. C., & Schenker, M. (2018). Migrant workers and their occupational health and safety. *Annual Review of Public Health*, 39, 351-365.
- Murtough, G., & Waite, M. (2000). *The Growth of Non-Traditional Employment: Are Jobs Becoming More Precarious? Productivity Commission Staff Research Paper*. Canberra: Australian Government Productivity Commission.
- Neill, N., Mulholland, G., Ross, V., & Leckey, J. (2004). The Influence of Part-time Work on Student Placement. *Journal of Further and Higher Education*, 28(2), 123-137.

- Nesheim, T. (2003). Short-term hires and the leasing of personnel in Norwegian firms: promoting numerical flexibility and stability. *Scandinavian Journal of Management*, 19(3), 309-331.
- NZCTU (2013). *Under Pressure: A Detailed Report into Insecure Work in New Zealand*. Retrieved from <http://www.union.org.nz/wp-content/uploads/2016/12/CTU-Under-Pressure-Detailed-Report-2.pdf>
- Newman, I., & McNeil, K. (1998) *Conducting Survey Research in the Social Sciences*. Lanham, Maryland: University Press of America.
- New Zealand Visa Bureau (2018). *New Zealand Visa Requirements*. Retrieved from <http://www.visabureau.com/newzealand/visa-requirement.aspx>
- New Zealand Visa Bureau (2011, February 28). *Indian students now second largest New Zealand Visa group, figures show*. [Press release]. London: Visa Bureau.
- New Zealand Work Research Institute & Centre for Labour, Employment and Work (2018, 22 May). *Barriers to participation: what would make a difference & would it work?* Symposium, Wellington.
- Nicholls, R. (2009). Research and Indigenous participation: critical reflexive methods. *International Journal of Social Research Methodology*, 12(2), 117-126.
- Nicole-Drancourt, C. (1992). L'idée de Précarité Revisitée. *Travail et Emploi*, 52, 57 -70.
- Nielsen. (2015). *Health and safety attitudes and behaviours in the New Zealand workforce: A study of workers and employers*. Wellington: WorkSafe.
- Nielsen, I. K., Jex, S. M., & Adams, G. A. (2000). Development and validation of scores on a two-dimensional workplace friendship scale. *Educational and Psychological Measurement*, 60(4), 628-643.
- Nossar, I., Johnstone, R., & Quinlan, M. (2004). Regulating supply-chains to address the occupational health and safety problems associated with precarious employment: the case of home-based clothing workers in Australia. *Australian Journal of Labour Law*, 17(2), 1-24.
- Nyland, C., Forbes-Mewett, H., Marginson, S., Ramia, G., Sewer, E., & Smith, S. (2009). *International Student-Workers in Australia: A New Vulnerable Workforce*. Melbourne: Centre for the Study of Higher Education, Monash University.
- NZ Herald (2018). NZ workplace safety a 'national disgrace' - consultant https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=10859227
- Oakman, D. (2010). *Facing Asia: a history of the Colombo Plan*. Canberra: ANU Press.
- OECD (n.d.). *Collective Bargaining: Levels and Coverage*. Retrieved from <https://www.oecd.org/els/emp/2409993.pdf>
- OECD (2014). *Regulatory Enforcement and Inspections: OECD Best Practice Principles for Regulatory Policy*. Paris: OECD.
- OECD (2009). *The Future of International Migration to OECD Countries*. Paris: OECD.

- OECD (2007). *Policy Coherence for Development 2007: Migration and Developing Countries*. Paris: OECD.
- Oke, N. (2010). Working transnationally: Australian unions and temporary migrant work. *Social Alternatives*, 29(2), 70.
- ONE News (2018, September 17). *Indian national ordered to pay \$150k to employees he exploited at Pizza Hutt*. Retrieved from <https://www.tvnz.co.nz/one-news/new-zealand/indian-national-ordered-pay-150k-employees-he-exploited-pizza-hut-restaurants>
- Orlikowski, W. J., & Baroudi, J. J. (1991). Studying information technology in organizations: Research approaches and assumptions. *Information systems research*, 2(1), 1-28.
- Orrenius, P. M., & Zavodny, M. (2009). Do immigrants work in riskier jobs? *Demography*, 46(3), 535-551.
- Osterman, P., & Shulman, B. (2011). *Good Jobs America*. New York: Russell Sage Foundation.
- Pai, H. (2008). *Chinese Whispers: The True Story behind Britain's Hidden Army of Labour*. London: Penguin.
- Pai, H. (2008a). Migrants: Britain's hidden labour army. *Socialist Review*. Retrieved from <http://www.socialistreview.org.uk/article.php?articlenumber=10389>
- Park, Z. (2017). *Moving places: Destinations and earnings of international graduates*. Retrieved from https://www.educationcounts.govt.nz/publications/tertiary_education/education-outcomes/moving-places-destinations-and-earnings-of-international-graduates
- Parliamentary Hansard (2015, 2 December). *Questions to Ministers: Student Visas—Overseas Immigration Agencies* Retrieved from https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansD_20151202/volume-710-week-35-wednesday-2-december-2015
- Parutis, V. (2014). “Economic migrants” or “middling transnationals”? East European migrants’ experiences of work in the UK. *International Migration*, 52(1), 36-55.
- Payne, J., & Keep, E. (2003). Re-visiting the Nordic approaches to work re-organization and job redesign: lessons for UK skills policy. *Policy Studies*, 24(4), 205-225.
- Patel, M., Doku, V., & Tennakoon, L. (2003). Challenges in recruitment of research participants. *Advances in Psychiatric Treatment*, 9.
- Patton, M.Q. (1990). *Qualitative Evaluation and Research Methods* (2nd ed). California: Sage.
- Pécoud, A., & de Guchteneire, P. (2005). *Migration without borders: an investigation into the free movement of people*. Geneva: Global Commission on International Migration.
- Penninx, R. & Roosblad, J. (2000) Trade Unions, Immigration, and Immigrants in Europe, 1960–1993: A Comparative Study of the Attitudes and Actions of the Trade Unions in Seven West European Countries (Eds). Oxford: Berghahn.

- Perkins, R., & Neumayer, E. (2014). Geographies of educational mobilities: Exploring the uneven flows of international students. *The Geographical Journal*, 180(3), 246-259.
- Phillips, D. (2008). Social inclusion, social exclusion and social cohesion: tensions in a post-industrial world. *The Hong Kong Journal of Social Work*, 42(01).
- Pigeon, N., & Henwood, K. (2004). Grounded theory. In M. Hardy & A. Bryman (Eds.), *Handbook of data analysis* (pp. 625-648). London: Sage.
- Pieterse, J. N. (2000). Globalization north and south: representations of uneven development and the interaction of modernities. *Theory, Culture & Society*, 17(1), 129-137.
- Pinfold, J. (2000). Examining New Venture Failure Rates: A New Zealand Study. *Small Enterprise Research*, 8, 56-72.
- Platt, L., Luthra, R., & Frere-Smith, T. (2015). Adapting chain referral methods to sample new migrants: Possibilities and limitations. *Demographic Research*, 33, 665-700.
- Pledger, M., Cumming, J., McDonald, J., & Poland, M. (2009). The Health Status of New Zealand Workers: An Analysis of the New Zealand Health Survey 2002/3. *New Zealand Journal of Social Sciences Online*. Retrieved from <http://www.royalsociety.org.nz/Site/publish/Journals/kotuitui/2009/006.aspx>
- Pocock, B., Buchanan, J., & Campbell, I. (2004). Meeting the Challenge of Casual Work in Australia: Evidence, Past Treatment and Future Policy. *Australian Bulletin of Labour*, 30(1), 16-32.
- Pocock, B., Prosser, R., & Bridge, K. (2005). The return of 'labour-as-commodity'? The experience of casual work in Australia. *Reworking*, 459.
- Polkinghorne, J. (2016, March 1). *Auckland's International Student Boom*. Retrieved from <https://www.greaterauckland.org.nz/2016/03/01/aucklands-international-student-boom/>
- Pollert, A., & Charlwood, A. (2008). *Vulnerable Workers and Problems at Work*. Centre for Employment Studies Research Working Paper 11. Retrieved from <http://www.uwe.ac.uk/bbs/research/cesr/workingpapers.shtml>
- Poros, M. V. (2001). The role of migrant networks in linking local labour markets: the case of Asian Indian migration to New York and London. *Global Networks*, 1(3), 243-260.
- Portes, A. (2010). Migration and social change: Some conceptual reflections. *Journal of Ethnic and Migration Studies*, 36(10), 1537-1563.
- Potts, K., & Brown, L. (2005). Becoming an anti-oppressive researcher. In L. Brown & S. Strega (Eds.), *Research as resistance: Critical, indigenous, and anti-oppressive approaches* (pp. 255-285). Toronto: Canadian Scholars' Press.
- Poulston, J. (2017). Staff shortages and turnover: Causes and solutions. *Hospitality Insights*, 1(1), 7-7.
- Poyrazli, S., Kavanaugh, P. R., Baker, A., & Al-Timimi, N. (2004). Social support and demographic correlates of acculturative stress in international students. *Journal of College Counselling*, 7(1), 73-82.

- Purcell, K. & Purcell, J. (1998). In-sourcing, Outsourcing, and the Growth of Contingent Labour as Evidence of Flexible Employment Strategies. *European Journal of Work and Organizational Psychology*, 7(1), 39-59.
- Pyvis, D., & Chapman, A. (2007). Why university students choose an international education: A case study in Malaysia. *International Journal of Educational Development*, 27(2), 235-246.
- Quinlan, M., & Bohle, P. (2014). Re-invigorating industrial relations as a field of study: Changes at work, substantive working conditions and the case of OHS. *New Zealand Journal of Employment Relations*, 38(3), 1.
- Quinlan M., Bohle P., & Lamm F. (2010). *Managing Occupational Health and Safety: A Multidisciplinary Approach* (3rd ed.). Sydney: Macmillan
- Quinlan, M., & Mayhew, C. (2001). *Evidence versus Ideology: Lifting the Blindfold on OHS in Precarious Employment*. Working Paper. Sydney: University. of New South Wales.
- Quinlan, M. C., Mayhew, & Bohle, P. (2001). The Global Expansion of Precarious Employment, Work Disorganization, and Consequences for Occupational Health: A Review of Recent Research. *International Journal of Health Services*, 31(2), 335-414.
- Radio NZ (2011, July 27). *Inland Revenue Department targets cash economy*. Retrieved from [http://www.radionz.co.nz/news/business/81024/Inland Revenue Department-targets-cash-economy](http://www.radionz.co.nz/news/business/81024/Inland%20Revenue%20Department-targets-cash-economy)
- Ramey, H. L., & Grubb, S. (2009). Modernism, postmodernism and (evidence-based) practice. *Contemporary Family Therapy*, 31(2), 75-86.
- Raskin, J. D. (2008). The evolution of constructivism. *Journal of Constructivist Psychology*, 21(1), 1-24.
- Reay, D., David, M. E., & Ball, S. J. (2005). *Degrees of choice: Class, race, gender and higher education*. Staffordshire: Trentham Books.
- Rafi, B., & Lewis, P. (2013). Indian higher education students in Australia: Their patterns and motivations. *Australian Journal of Education*, 57(2), 157-173.
- Reilly, A. (2013). Protecting vulnerable migrant workers: The case of international students, *Australian Journal of Labour Law*, 25, 181-208.
- Reitz, J.G. (1998). *Warmth of the Welcome: The Social Causes of Economic Success for Immigrants in Different Nations and Cities*. Boulder, CO: Westview Press.
- Riggert, S.C., Boyle, M., Petrosko, J.M., Ash, D., & Rude-Parkins, C. (2006). Student Employment and Higher Education: Empiricism and Contradiction. *Review of Educational Research*, 76(1), 63-92.
- Robertson, S. (2011). Cash cows, backdoor migrants, or activist citizens? International students, citizenship, and rights in Australia. *Ethnic and Racial Studies*, 34(12), 2192-2211.
- Robotham, D. (2009). Combining study and employment: a step too far? *Education + Training*, 51(4), 322-332.

- Rodan, P. (2009). The international student as student, migrant and victim: Changing perceptions in a vexed area of public policy. *Australian Universities' Review*, 51(2), 27-31.
- Rodgers, G. (2007, July). *Labour Market Flexibility and Decent Work*: United Nations DESA Working Paper No. 47. Switzerland: United Nations.
- Rodgers, G. (1989). Precarious work in Western Europe: The state of the debate. *Precarious jobs in labour market regulation: The growth of atypical employment in Western Europe*, 3.
- Rogaly, B. (2008). Intensification of Workplace Regimes in British Horticulture: The Role of Migrant Workers. *Population, Space and Place*, 14, 497-510.
- Rogers, A., Willekens, F.J., & Raymer, J. (2003). Imposing Age and Spatial Structures on Inadequate Migration-Flow Datasets. *The Professional Geographer*, 55(1), 56-69.
- Roguski, M. (2013). *Occupational health and safety of migrant sex workers in New Zealand: Prepared for the New Zealand Prostitutes Collective*. Wellington: Kaitaiki Research and Evaluation.
- Ross, C., & Rasmussen, E. (2009). Chronicle: June-September 2009. *New Zealand Journal of Employment Relations*, 34(3), 92-101.
- Ross, J.A. (1997). Does friendship improve job performance? *Harvard Business Review*, 75, 8-9.
- Ruhs, M. (2006). The potential of temporary migration programmes in future international migration policy. *International Labour Review*, 145, 7.
- Ruhs, M., & Anderson, B. (2010). (Eds). *Who Needs Migrant Workers? Labour Shortages, Immigration and Public Policy*. Oxford: Oxford University Press.
- Ruhs, M., & Anderson, B. (2006, July 6). *Semi-compliance in the migrant labour market*. Paper presented at the COMPAS Annual Conference. Oxford: Oxford University Centre on Migration, Policy and Society (COMPAS).
- Russel, M. (2005). Marketing Education: A Review of Service Quality Perceptions among International Students. *International Journal of Contemporary Hospitality Management*, 17, 65-77.
- Ryall, S. & Blumenfeld, S. (2016). *Unions and Union Membership in New Zealand – report on 2016 Survey*. Retrieved from https://www.victoria.ac.nz/_data/assets/pdf_file/0006/1235562/New-Zealand-Union-Membership-Survey-report-2016FINAL.pdf
- Quah, J. S. (2008). Curbing corruption in India: An impossible dream? *Asian Journal of Political Science*, 16(3), 240-259.
- Salt, J., & Millar, J. (2006). International migration in interesting times: The case of the UK. *People and Place*, 14(2), 14.
- Sam, D. L. (2001). Satisfaction with life among international students: An exploratory study. *Social Indicators Research*, 53(3), 315-337.
- Sandelowski, M. (2000). Focus on Research Methods: Whatever Happened to Qualitative Description? *Research in Nursing & Health*, 23, 334-340.

- Sandhu, D. S., & Asrabadi, B. R. (1994). Development of an acculturative stress scale for international students: Preliminary findings. *Psychological Reports*, 75(1), 435-448.
- Sargeant, M. (2016). The meaning of the terms precarious work and vulnerable workers. *E-Journal of International and Comparative Labour Studies*, 5(3), 1-10.
- Sargeant, M. (2009). *Health and safety of vulnerable workers in a changing world of work*. Working Paper. Rome: ADAPT.
- Sargeant, M., & Ori, M. (2013). *Vulnerable Workers and Precarious Working*. Cambridge: Cambridge Scholars Publishing.
- Sargeant, M., & Tucker, T. (2009). Layers of Vulnerability in Occupational Health and Safety for Migrant Workers: Case Studies from Canada and the United Kingdom. *Policy and Practice in Occupational Health and Safety*, 7(2), 51-73.
- Saxton, G. D., Guo, S. C., & Brown, W. A. (2007). New dimensions of nonprofit responsiveness: The application and promise of Internet-based technologies. *Public Performance & Management Review*, 31(2), 144-173.
- SBS (2018, 18 September). *Indian national sentenced and ordered to pay \$150,000 for exploiting migrant workers*. Retrieved from <https://www.sbs.com.au/yourlanguage/punjabi/en/article/2018/09/18/indian-national-sentenced-and-ordered-pay-150000-exploiting-migrant-workers>
- SBS (2017). *Business school with maximum Indian international students shout down*. Retrieved from <https://www.sbs.com.au/language/english/business-school-with-maximum-indian-international-students-shut-down>
- SBS (2016, 6 September). *Desperate international students are turning to crime and prostitution in New Zealand*. Retrieved from <https://www.sbs.com.au/language/english/desperate-international-students-are-turning-to-crime-and-prostitution-in-new-zealand>
- Sengupta, S., Edwards, P. K., & Tsai, C. J. (2009). The good, the bad, and the ordinary: Work identities in “good” and “bad” jobs in the United Kingdom. *Work and Occupations*, 36(1), 26-55.
- Schenker, M. B. (2010). A global perspective of migration and occupational health. *American Journal of Industrial Medicine*, 53(4), 329-337.
- Shaghghi, A., Bhopal, R. S., & Sheikh, A. (2011). Approaches to recruiting ‘hard-to-reach’ populations into research: a review of the literature. *Health Promotion Perspectives*, 1(2), 86.
- Shah, S. K., & Corley, K. G. (2006). Building better theory by bridging the quantitative–qualitative divide. *Journal of Management Studies*, 43(8), 1821-1835.
- Sharma, N. (2002). Immigrant and migrant workers in Canada: Labour movements, racism and the expansion of globalization. *Canadian Woman Studies*, 21(4).
- Sharpe, M. (2010, 24 July). *Slave labour system rotten to the core*. Retrieved from <http://www.stuff.co.nz/national/crime/3953581/Slave-labour-system-rotten-to-the-core>

- Shaw, A. (2018, 9 June). *Govt vows to crack down on exploitation of migrant workers*. NZ Herald. Retrieved from https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=12064707
- Sheikh, A. Z. (2008). Beyond 'Agency Employment' in Pakistan: The outsourcing of employers' responsibilities to employment agencies. *New Zealand Journal of Employment Relations*, 33(2), 1.
- Shelley, T. (2007). *Exploited: migrant labour in the new global economy*. London: Zed Books.
- Siegrist, J., & Theorell, T. (2006). Socio-economic position and health: the role of work and employment. *Social inequalities in health: New evidence and policy implications*, 73-100.
- Silverman, D. (2010). *Doing Qualitative Research: A Practical Handbook* (3rd ed). London: Sage.
- Silverstone, B., Bollard, A., & Lattimore, R. (Eds.) (1996). *A Study of Economic Reform: The Case of New Zealand*. Elsevier: Amsterdam.
- Simpson, W.R. (1994). The International Labour Organization and Tripartism: Some Reflections – Labour Standards Cooperation. International Labor Organization's 75th Anniversary. *Monthly Labor Review*, 117(9), 40-45.
- Sivakumaran, S. (2004). The Rights of Migrant Workers One Year on: Transformation or Consolidation. *Georgetown Journal of International Law*, 36, 113.
- Skuterud, M., & Su, M. (2012). Immigrants and the dynamics of high-wage jobs. *ILR Review*, 65(2), 377-397.
- Smallbone, T., & Quinton, S. (2004). Increasing business students' confidence in questioning the validity and reliability of their research. *Electronic Journal of Business Research Methods*, 2(2), 153-162.
- Somers, M. (2008). *Genealogies of Citizenship: Markets, Statelessness, and the Right to Have Rights*. Cambridge: Cambridge University Press.
- Sousa-Poza, A., & Sousa-Poza, A.A. (2000). Well-being at work: a cross-national analysis of the levels and determinants of job satisfaction. *Journal of Socio-Economics*, 29(6), 517-538.
- Southern Poverty Law Center (2014). *Culture Shock: The exploitation of J-1 Cultural Exchange workers*. Retrieved from <https://www.splcenter.org/20140201/culture-shock-exploitation-j-1-cultural-exchange-workers>
- Spector, P.E. (1997). *Job satisfaction: Application, assessment, causes, and consequences*. London: Sage.
- Spence, L. (2005), *Country of Birth and Labour Market Outcomes in London: An Analysis of Labour Force Survey and Census Data*. London: Greater London Authority.
- Standing, G. (2014). Understanding the precariat through labour and work. *Development and Change*, 45(5), 963-980.
- Standing, G. (1999): *Global Labour Flexibility*. London: Macmillan.

- Staples, L. H. (2000). Insider/outsider upsides and downsides, *Social Work with Groups*, 23(2), 19–35.
- Stats NZ (2018). *Injury statistics – work-related claims: 2017*. Retrieved from <https://www.stats.govt.nz/information-releases/injury-statistics-work-related-claims-2017>
- Stats NZ (2018a). *Household labour force survey estimated working-age population: December 2017 quarter*. Retrieved from <https://www.stats.govt.nz/information-releases/household-labour-force-survey-estimated-working-age-population-december-2017-quarter>
- Stats NZ (2018b, 22 May). *Unemployment and underutilisation rates both fall*. Retrieved from <https://www.stats.govt.nz/news/unemployment-and-underutilisation-rates-both-fall>
- Stringer, C. (2016, December). *Worker Exploitation in New Zealand: A Troubling Landscape*. The Human Trafficking Research Coalition. Retrieved from <http://hagar.org.nz/files/Worker-Exploitation-in-New-Zealand.pdf>
- Stuff (2016, 23 December). *Filipino national fined \$10,000 for exploiting migrant workers*. Retrieved from <https://www.stuff.co.nz/business/87918274/Filipino-national-fined-10-000-for-exploiting-migrant-workers>
- Sue, V. M., & Ritter, L. A. (2012). *Conducting online surveys*. Thousand Oaks, CA: Sage.
- Suter, B. & Jandl, M. (2006). *Comparative study on policies towards foreign graduates – Study on Admission and Retention Policies towards Foreign Students in Industrialised Countries*. Vienna: International Centre of Migration Policy Development (ICMPD).
- Syed, J. (2008). Employment prospects for skilled migrants: a relational perspective. *Human Resource Management Review*, 18, 28– 45.
- Szelényi, K. (2006). Students without borders? Migratory decision-making among international graduate students in the US. *Knowledge, Technology & Policy*, 19(3), 64-86.
- Tam Oi I, B., & Morrison, K. (2005). Undergraduate students in part-time employment in China. *Educational Studies*, 31(2), 169-180.
- Tan, L. (2016, 29 October). *Masala restaurant boss Rupinder Singh Chahil sentenced over exploitation*. Retrieved from https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=11737727
- Tan, L. (2013, 12 February). *\$2 an hour 'common' for migrants*. Retrieved from https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10864817
- Tan, L. (2011, September 22). *Migrants in NZ trapped in forced labour: US official*. *New Zealand Herald*. Retrieved from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10753398
- Tapp, J. L., Kelman, H. C., Triandis, H. C., Writsman, L., & Coelho, G. (1974). Continuing concerns in cross-cultural ethics: A report. *International Journal of Psychology*, 9, 231–249.
- Taylor, S.J., & Bogdan, R. (1998). *Introduction to Qualitative Research Methods* (3rd ed.). Canada: John Wiley & Sons.

- Tejada, G., & Bolay, J. C. (2010). (Eds.). *Scientific diasporas as development partners: Skilled migrants from Colombia, India and South Africa in Switzerland: Empirical evidence and policy responses* Bern: Peter Lang.
- Te Velde, D.W. (2005). *Globalisation and Education: What do the trade, investment and migration literatures tell us?* Working Paper 254. London: Overseas Development Institute.
- Tham, J. C., Campbell, I., & Boese, M. (2016). Why is Labour Protection for Temporary Migrant Workers so Fraught? A Perspective from Australia. In Joanna Howe and Rosemary Owens (Eds.), *Temporary Labour Migration in the Global Era: Regulatory Challenges*. London: Hart Publishing.
- Thamrin, Y., Pisaniello, D., Guerin, C., & Rothmore, P. (2018). The emerging workforce of international university student workers: injury experience in an Australian university. *International Journal of Environmental Research and Public Health*, 15(3), 456.
- Theodore, N., Valenzuela Jr, A., & Meléndez, E. (2009). Worker centers: defending labor standards for migrant workers in the informal economy. *International Journal of Manpower*, 30(5), 422-436.
- Thomann, L. (2008). The ILO, tripartism, and NGOs: do too many cooks really spoil the broth? In *Civil Society Participation in European and Global Governance* (pp. 71-94). London: Palgrave Macmillan.
- 3news (2012). *Cabinet ticks off employment law changes*. Retrieved from <https://www.newshub.co.nz/politics/cabinet-ticks-off-employment-law-changes-2012051415>
- Thrupp, M. (2001). School-Level Education Policy under New Labour and New Zealand Labour: A Comparative Update. *British Journal of Educational Studies*, 49(2), 187 – 212.
- Tienda, M., & Singer, A. (1995). Wage mobility of undocumented workers in the United States. *International Migration Review*, 29(1), 112-138.
- Tipples, R., & Whatman, R. (2010). Employment standards in world food production – the place of GLOBALGAP supply contracts and indirect legislation. *New Zealand Journal of Employment Relations*, 35(3), 40-60.
- Toncar, M. F., & Cudmore, B. V. (2000). The overseas internship experience. *Journal of Marketing Education*, 22(1), 54-63.
- Tokman, V. E. (2007). The informal economy, insecurity and social cohesion in Latin America. *International Labour Review*, 146(1-2), 81-107.
- Trebilcock, A. (2005). *Decent work and the informal economy*. EGDI/UNI–WIDER Discussion Paper No. 2005/04. Helsinki: Expert Group on Development Issues, United Nations University, World Institute for Development Economics Research.
- Trevena, P. (2013). Why do highly educated migrants go for low-skilled jobs? *Mobility in Transition*, 169.
- TUC Commission on Vulnerable Employment (2008). *Hard Work, Hidden Lives: The Full Report of the Commission on Vulnerable Employment*. London: Trades Union Congress.
- Tucker, D. (2002): ‘Precarious’ Non-Standard Employment – A Review of Literature. Labour Market Policy Group, Department of Labour: Wellington.

- Underhill, E., & Rimmer, M. (2016). Layered vulnerability: Temporary migrants in Australian horticulture. *Journal of Industrial Relations*, 58(5), 608-626.
- Underhill, E., & Quinlan, M. (2011). How precarious employment affects health and safety at work: the case of temporary agency workers. *Relations Industrielles*, 66(3), 397-421.
- UNESCO (1999). *International students*. Retrieved from <https://migrationdataportal.org/themes/international-students>
- United Nations (2018). International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Retrieved from https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-13&chapter=4&clang=_en
- United Nations (2017). International Migration Report. Retrieved from https://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017_Highlights.pdf
- United Nations (2014). *The Economic, Social and Cultural Rights of Migrants in an Irregular Situation*. Retrieved from https://www.ohchr.org/Documents/Publications/HR-PUB-14-1_en.pdf
- United Nations (2004). *International covenant on civil and political rights*. Retrieved from <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsjYoiCfMKoIRv2FVaVzRkMjTnjRO%2Bfud3cPVrcM9YR0iW6Txaxgp3f9kUFpWoq%2FhW%2FTpKi2tPhZsbEJw%2FGeZRASjdFuuJQRnbJEaUhby31WiQP12mLFDe6ZSwMMvmQGVHA%3D%3D>
- Van de Ven, A. H. (2007). *Engaged scholarship: A guide for organizational and social research*. Oxford University Press on Demand. https://www.johnpbechara.com/uploads/1/2/9/5/12951614/bechara_and_van_de_ven_12-15-06.pdf
- Verbik, L., & Lasanowski, V. (2007). International student mobility: Patterns and trends. *World Education News and Reviews*, 20(10), 1-16.
- Vincent-Lancrin, S. (2004, October). Building Capacity through Cross border tertiary education. In *UNESCO/OECD Australia forum on trade in educational services* (pp. 11-12). Sydney.
- Virtanen, M., Kivimaki M., Joensuu, M., Virtanen, P., Elovainio, M., & Vahtera, J. (2005). Temporary Employment and Health: A Review. *International Journal of Epidemiology*, 34(3), 610-622.
- Vosko, L. F., Zukewich, N., & Cranford, C. (2003). Precarious jobs: A new typology of employment. *Perspectives on Labour and Income*, 15(4).
- Vrachnas, J., Bagric, M., Dimopoulos, P., & Pathinayake, A. (2012). *Migration and Refugee Law: Principles and Practice in Australia* (3rd ed.). Melbourne: Cambridge University Press.
- Waddington, C. (2003). *Livelihood outcomes of migration for poor people*. United Kingdom: Sussex Centre for Migration Research.
- Walker, A., & Wigfield, A. (2004). *The social inclusion component of social quality*. The Social Inclusion Component of Social Quality. United Kingdom: University of Sheffield & European Network on Indicators of Social Quality (Eniq).

- Wallon, S. (2018, 21 December). 'Time's up for shitty bosses': one woman's fight for exploited hospo workers. Retrieved from <https://thespinoff.co.nz/business/21-12-2018/times-up-for-shitty-bosses-one-womans-fight-for-exploited-hospo-workers/>
- Wall, T. & Maas, A. (2013, June 14). *Darkside of cheaptakeaways*. *Sunday Star Times*. Retrieved from <http://www.stuff.co.nz/business/industries/8916261/Dark-side-of-cheap-takeaways>
- Walsh, J., & Deery, S. (1997). *Understanding the Peripheral Workforce: An Examination of Employee Diversity in the Service Sector*. Working Paper No. 112. Melbourne: Department of Management and Industrial Relations, University of Melbourne.
- Wang, K. T., Heppner, P. P., Fu, C. C., Zhao, R., Li, F., & Chuang, C. C. (2012). Profiles of acculturative adjustment patterns among Chinese international students. *Journal of Counseling Psychology*, 59(3), 424.
- Wang, X. (2011). *A Matter of Choice-Tertiary Student Term Time Employment: An Investigation of New Zealand Domestic and Chinese International Students*. Christchurch: University of Canterbury.
- Ward, C. (2008). *The Experiences of Migrant Youth: A Generational Analysis*. Wellington: Department of Labour.
- Ward, K., Grimshaw, D., Rubery, J., & Beynon, H. (2001). Dilemmas in the management of temporary work agency staff. *Human Resource Management Journal*, 11(4), 3-21.
- Ward, C., Leong, C. H., & Low, M. (2004). Personality and sojourner adjustment: An exploration of the Big Five and the cultural fit proposition. *Journal of Cross-Cultural Psychology*, 35(2), 137-151.
- Ward, C. & Masgoret, A.M. (2004). *The Experiences of International Students in New Zealand. Report on the results of the national survey*. Wellington: Ministry of Education.
- Watts, J.R. (2002). *Immigration Policy and the Challenge of Globalization: Unions and Employers in Unlikely Alliance*. Ithaca, NY: Cornell University Press.
- Wederman, A. (2004). The intensification of corruption in China. *The China Quarterly*, 180, 895-921.
- Wei, M., Heppner, P. P., Mallen, M. J., Ku, T. Y., Liao, K. Y. H., & Wu, T. F. (2007). Acculturative stress, perfectionism, years in the United States, and depression among Chinese international students. *Journal of Counseling Psychology*, 54(4), 385.
- Welch, W. W., & Barlau, A. B. (2013). *Addressing survey nonresponse issues: Implications for ATE principal investigators, evaluators, and researchers*. National Science Foundation. Retrieved from http://www.websm.org/db/12/15917/Web_Survey_Bibliography/Addressing_Survey_Nonresponse_Issues_Implications_for_ATE_Principal_Investigators_Evaluators_and_Researchers_/?menu=1&lst=&q=search_1_1111110_-1&qdb=12&qsort=1
- Wesley, M. (2009) *Australia's Poisoned Alumni: international education and the costs to Australia*, Sydney: Lowy Institute for International Policy.
- Wickramasekara, P. (2002). *Asian labour migration: Issues and challenges in an era of globalization*. Geneva: International Labour Organisation.
- Williams, C. C., & Horodnic, I. A. (2017). Evaluating the participation of marginalized populations in undeclared work in the Baltic Sea countries. *Journal of Contemporary European Studies*, 25(2), 226-242.

- Williams, C. C., & Horodnic, I. A. (2017a). Evaluating the illegal employer practice of under-reporting employees' salaries. *British Journal of Industrial Relations*, 55(1), 83-111.
- Williams, J. (2009, July). *Low skill temporary migration in New Zealand: Labour market and human rights law as a framework for managing future migration*. Working Paper 09/09. Wellington: Institute of Policy Studies.
- Wills, J., May, J., Datta, K., Evans, Y., Herbert, J., & McIlwaine, C. (2009). London's migrant division of labour. *European Urban and Regional Studies*, 16(3), 257-271.
- Wilson, L. (2016). *550 students deported from New Zealand since 2010*. Retrieved from <https://www.stuff.co.nz/national/education/76517600/null>
- Wishnie, M. J. (2004). *Emerging Issues for Undocumented Workers*. Faculty Scholarship Series.Paper 926. Retrieved from http://digitalcommons.law.yale.edu/fss_papers/926
- Woodhouse, M. (2013, 23 June). *New measures to combat migrant exploitation*. Retrieved from <https://www.beehive.govt.nz/release/new-measures-combat-migrant-exploitation>
- Wozniak, R. (2004). Skills shortages. *Chartered Accountants Journal*, 83(8), 64-65.
- Wright, D. (2017, 11 October.). *What SMEs are doing wrong*. Retrieved from https://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=11931952
- Ye, J. (2006). An examination of acculturative stress, interpersonal social support, and use of online ethnic social groups among Chinese international students. *The Howard Journal of Communications*, 17(1), 1-20.
- Yeh, C. J., & Inose, M. (2003). International students' reported English fluency, social support satisfaction, and social connectedness as predictors of acculturative stress. *Counselling Psychology Quarterly*, 16(1), 15-28.
- Yin, R.K. (1984). *Case Study Research: Design and Methods*. Beverly Hills; London: Sage.
- Zaman, H. (2004). Transnational migration and commodification of im/migrant female laborers in Canada. *International Journal of Canadian Studies*, 29, 41-62.
- Zhang, Z., & Brunton, M. (2007). Differences in living and learning: Chinese international students in New Zealand. *Journal of Studies in International Education*, 11(2), 124-140.
- Zhou, Y., Jindal-Snape, D., Topping, K., & Todman, J. (2008). Theoretical models of culture shock and adaptation in international students in higher education. *Studies in Higher Education*, 33(1), 63-75.
- Zigurasa, C., & Lawb, S.F. (2006). Recruiting international students as skilled migrants: The global 'skills race' as viewed from Australia and Malaysia. *Globalisation, Societies and Education*, 4(1), 59-76.
- Zimmermann, K. F., Kahanec, M., Constant, A., DeVoretz, D., Gataullina, L., & Zaiceva, A. (2008). *Study on the social and labour market integration of ethnic minorities*. IZA research report 16. Bonn: Institute for the Study of Labor (IZA).
- Zimmerman, C., Kiss, L., & Hossain, M. (2011) Migration and Health: A Framework for 21st Century Policy-Making. *PLoS Med*, 8(5), 1001-1034.

Legislation

The Equal Pay Act 1972

Minimum Wage Act 1983

Wages Protection Act 1983

The Education Act 1989

Human Rights Act 1993

Employment Relations Act 2000

Holidays Act 2003

Health and Safety at Work Act 2015)

Education (Pastoral Care of International Students) Code of Practice 2016

Appendices

Appendix A: AUTECH Ethics Approval



13 June 2014

Felicity Lamm
Faculty of Business and Law

Dear Felicity

Re Ethics Application: **14/131 The land of milk and honey? Student migrants working in New Zealand.**

Thank you for providing evidence as requested, which satisfies the points raised by the Auckland University of Technology Ethics Committee (AUTECH).

Your ethics application has been approved for three years until 12 June 2017.

As part of the ethics approval process, you are required to submit the following to AUTECH:

- A brief annual progress report using form EA2, which is available online through <http://www.aut.ac.nz/researchethics>. When necessary this form may also be used to request an extension of the approval at least one month prior to its expiry on 12 June 2017;
- A brief report on the status of the project using form EA3, which is available online through <http://www.aut.ac.nz/researchethics>. This report is to be submitted either when the approval expires on 12 June 2017 or on completion of the project.

It is a condition of approval that AUTECH is notified of any adverse events or if the research does not commence. AUTECH approval needs to be sought for any alteration to the research, including any alteration of or addition to any documents that are provided to participants. You are responsible for ensuring that research undertaken under this approval occurs within the parameters outlined in the approved application.

AUTECH grants ethical approval only. If you require management approval from an institution or organisation for your research, then you will need to obtain this. If your research is undertaken within a jurisdiction outside New Zealand, you will need to make the arrangements necessary to meet the legal and ethical requirements that apply there.

To enable us to provide you with efficient service, please use the application number and study title in all correspondence with us. If you have any enquiries about this application, or anything else, please do contact us at ethics@aut.ac.nz.

All the very best with your research,



Kate O'Connor
Executive Secretary
Auckland University of Technology Ethics Committee

Cc: Danae Anderson danae.anderson@aut.ac.nz

Appendix B: Advertisement in Ethnic Community Newspapers for Recruitment of Survey Respondents

AUT
UNIVERSITY
TE WHARE ARIKI O TĀHĀPŪ HAU KŪKŪ

Win a \$100 Gift Voucher!

ARE YOU AN:

- INTERNATIONAL STUDENT studying/ or who has studied in the last year at a New Zealand educational institute
- You are currently working/ or have worked in the last year in paid work in New Zealand; and
- Aged over 18 years old?

If yes, you are invited to share your experiences in a PhD survey on international students working in New Zealand:

Please follow the link below:
SurveyMonkey link: https://www.surveymonkey.com/s/STUDENT_MIGRANT_SURVEY

Approved by the Auckland University of Technology Ethics Committee on:
19 May 2014
AUTEC Reference number: 14/131

Appendix C: Handout for Survey on International Students Working in New Zealand



Win a \$100 Gift Voucher!

ARE YOU AN:

- **INTERNATIONAL STUDENT** studying/ or who has studied in the last year at a New Zealand educational institute
- You are currently working/ or have worked in the last year in paid work in New Zealand; and
- Aged over 18 years old?

If yes, you are invited to share your experiences in a PhD survey on international students working in New Zealand:

Please follow the link below:

SurveyMonkey link: https://www.surveymonkey.com/s/STUDENT_MIGRANT_SURVEY

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014

AUTEC Reference number: 14/131

Appendix D: Participant Information Sheet for Survey on International Students Working in New Zealand



Participant Information Sheet

Date Information Sheet Produced:

5th April 2014

Project Title

The Land of Milk and Honey? International Students Working in New Zealand.

An Invitation

My name is Danaë Anderson and I am Doctor of Philosophy Student at Auckland University of Technology (AUT). I invite you to participate in research on student migrants in New Zealand. This research will form the basis of my PhD thesis. Your participation in this research is voluntary and you may withdraw from this research at any time up until you submit the survey, without adverse consequences.

What is the purpose of this research?

This research forms the basis of my Doctor of Philosophy degree. The aim of this research is to investigate the working experiences of international students studying in New Zealand. To date extant research has primarily concentrated on either the working experiences of migrants or the educational experiences of international students rather than examining the working experiences of international students. This thesis will attempt to rectify this oversight.

It is anticipated this research will also produce publication(s), presentation(s), and other academic outputs as well as identifying the scope of further research in this area.

How was I chosen for this invitation?

You are being asked to participate in the surveying phase of this research. Stage I asks you complete a survey about your work while a student migrant because you have participated in work in New Zealand while studying.

What will happen in this research?

The survey will involve approximately 25 minutes of your time. The nature of the questions will require you to reflect on your experience of the work you did/ are doing while studying, and your opinions about these experiences.

What are the discomforts and risks?

Minimal discomfort or risk is anticipated for any survey participant. However, the interview may address topics or opinions are not relevant to you or that you disagree with.

How will these discomforts and risks be alleviated?

You may decline to answer any of the survey questions or terminate the survey. However, once you have submitted the survey the information is unable to be retrieved due to the anonymous nature of the survey. Your anonymity is assured, as the survey format prevents identification of any respondents. Your contact details entered in the prize draw are on a separate page; are de-linked from the main survey; and will be used for the competition draw only.

What are the benefits?

This research will increase available information about international students and the impact of their working lives in New Zealand. Because there are varied views about the role of student migrant work in New Zealand society, survey participants may enjoy being able to present their experiences and opinions in this subject area. With the lack of research in this area to date, the information gathered will help to increase useful data and advise policy.

How will my privacy be protected?

The only people with access to the anonymous survey data will be my supervisors (Associate Professor Felicity Lamm and Professor Erling Rasmussen) and I. The survey data will be used for the purpose of this research, the writing of my Doctoral thesis and any academic publications that may arise from this research. The data will be kept in a secure location for 6 years and will then be destroyed.

What are the costs of participating in this research?

The only cost of participating in this research is the time you have given to complete the survey.

What opportunity do I have to consider this invitation?

You have been invited to participate in this survey either through seeing an advertisement, or through word-of-mouth. You can choose to answer this survey at a time that is convenient to you.

How do I agree to participate in this research?

Participating in and submitting this survey will be seen as consent.

Will I receive feedback on the results of this research?

Given the anonymous nature of the survey it is not possible for respondents to be sent published results. However, contact can be made with the researcher if there is interest or further information is wanted.

What do I do if I have concerns about this research?

Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Associate Professor Felicity Lamm: felicity.lamm@aut.ac.nz 921 999 ext. 5906.

Concerns regarding the conduct of the research should be notified to the Executive Secretary, AUTEK, Kate O'Connor:

kate.oconnor@aut.ac.nz 921 9999 ext. 6902.

Whom do I contact for further information about this research?

Researcher Contact Details: Danaë Anderson danae.anderson@aut.ac.nz

Project Supervisor Contact Details:

Associate Professor Felicity Lamm felicity.lamm@aut.ac.nz

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014

AUTEC Reference number: 14/131

International Student Work Survey



Project title: The Land of Milk and Honey? Student Migrants Working in New Zealand

Project Supervisor: Dr Felicity Lamm

Researcher: Danaë Anderson

This questionnaire has been developed to build a body of information on international students working in New Zealand.

- Are you an international student studying/ or who has studied in the last year at a New Zealand educational institute; and
- Are you are currently working/ or have worked in the last year in paid work in New Zealand?
- Aged over 18 years old?

**Completing this form will be taken as giving your consent.
Please write your answers or tick as appropriate.**

Privacy

The researcher guarantees that any information shared from this survey will be used in such a way that respondents will be anonymous.

I. Demographic Information

1. How old are you? _____

2. Gender: Male Female

3. Ethnicity: _____

4. Type of accommodation you live in:

Boarding Flating living alone Hostel

5. Why did you pick New Zealand to study in? (please tick as many as applicable):

- Location
- Reputation of educational institution
- Choice of course
- Cost
- Geography
- Opportunity for residency
- Not my choice
- Other (please state) _____

II. Studying in New Zealand

1. How old were you when you moved to New Zealand to study? _____
2. How long have you been studying in New Zealand for? _____
3. Do you have any previous academic qualifications?
 - Yes
 - No
 If yes, please state the qualification

3. What visa category do you currently hold:

- Student Visa
- Post-study work visa (open)**
- Post-study work visa (employer assisted)**
- Work to Residence Visa
- Expired visa**
- Unsure**
- Other- please state** _____

Ila Educational Details

5. Which type of educational institute are you studying at?

- University
- Polytechnic
- Private Training Institute
- Other (please state) _____
- No longer studying/Seeking work

6. i) What qualification are you undertaking?

ii) Which subject area are you studying? _____

iii) How long is this course? _____

- iv) If you have completed study did you complete the qualification?

- Yes
- No

III. Financial Circumstances

1. What is your estimated total cost of living per week (accommodation, food, transport, clothing etc.) _____

2. Do you have a loan for your study?

Yes

No (please move to Section IV below)

3. How is the loan financed?

- Family
- Bank or finance company
- Scholarship

- Other (please state) _____
4. Do you need to repay this loan while you are still studying?
 Yes No
5. Do you need to work to meet your loan commitments?
 Yes No
6. Are you currently working?
 Yes No

IV. Working in New Zealand

a. Employment Status

1. Why do you work?

- Financial Work experience
 Other (please state) _____

2. Have you ever worked in an unpaid internship to gain New Zealand experience?
 Yes No

3. How many jobs have you worked in in New Zealand? _____

4. What jobs were they? _____

3. Which work category best fits your current employment?

- managers
- professionals
- technicians and trades workers
- community and personal service workers
- clerical and administrative workers
- sales workers
- machinery operators and drivers
- labourers

4. What industry do you work in, for example, hospitality: _____

5. What is your job title and briefly, what do you do?

6. What task or duties do you spend the most time on, for example; cleaning:

7. Does your work have any relevance to your course of study?

- Yes No

If yes, please explain _____

8. How did you find this job opportunity? (please tick those that are applicable)

- | | |
|---|--|
| Friends <input type="checkbox"/> | Classmates <input type="checkbox"/> |
| Agents (in home country) <input type="checkbox"/> | Ethnic Community <input type="checkbox"/> |
| Family <input type="checkbox"/> | Job Advertisement <input type="checkbox"/> |
| Other (please state) <input type="checkbox"/> | |

b. Employer and Organisation

1. Is the business you work for in New Zealand owned and operated or part of an international group (for example, franchise or chain):

New Zealand owned International organisation Don't know

2. How many people work in this business? _____

3. Where is the business located? _____

4. What is the nationality of the business owner?

4. What is the nationality of your manager? _____

c. Pay and Working Conditions

1. How long have you been in this position? _____

2. Do you have an employment contract?

Yes

No

If yes, have you read the contract and are aware of the terms and conditions of work?

Yes

No

5. How many hours per week do you work on average _____

6. Are you guaranteed hours?

Yes

No

5. Are these regular hours or do they vary each week?

Regular

Varied hours

7. Would you like more or fewer hours? _____

7. Do your hours of work impact on your study commitments?

Yes

No

If yes, how? _____

8. How much do you earn? _____

9. Do you think this pay is fair? Yes No

If no, how much do you think you should be paid and why?

10. Have you received a pay rise during your employment?

Yes

No

11. Have you been promoted while working in this position?

Yes

No

12. What qualities do you believe you have gained from working in New Zealand?

- Decision-making
 - Self-motivation
 - Self-esteem/confidence
 - Organisational skills
 - Problem-solving
 - Communication skills
 - Self-discipline Time management capability
 - Ability to work with others
 - New Zealand work experience
 - Other (please list)
-

13. i. Are you a union member?

Yes

No

If yes, which union? _____

ii. Is there any union presence or involvement in your workplace?

Yes

Unsure

No

14. Do you like your job?

Yes

No

15. Do you have a friend at work?

Yes

No

d. Health and Safety in the Workplace

1. Are you aware of New Zealand's' employment legislation?

Yes

Some/ incomplete knowledge

No

2. Do you feel safe in your workplace?

Yes

No

If no, why not?

3. Have you been given health and safety training at your work?

Yes

No

If yes, how long was your training and what did it cover?

4. Have you ever had an accident/injury at work?

Yes

No

If yes, what type of injury?

5. Was the accident reported to Accident Compensation Corporation (ACC)?
Yes No Unsure

6. Have you ever feel exploited in your employment?
Yes No (Please go to question 7)

If yes, why?

7. Who do you feel is exploiting you or do you think your treatment at work has been fair? _____

8. Are you afraid to raise issues with your supervisor/ manager because:

Working hours may be cut

Employer would not sponsor visa

Other, please explain _____

9. Have you worked outside New Zealand regulations, for example, payment below minimum wage, over the visa-mandated 20 hours work per week:

Yes

No (Please go to Section e)

If yes, please explain:

10. Did you complain to authorities about these illegal conditions?

Yes

No (Please go to Section e)

11. Knowing that you would be guaranteed to win if you took legal action for conditions below minimum entitlement, why have you not done this?

Cultural reasons

Fear of authority/ losing visa

Need the job

Accepted the conditions

Other Please explain

e. Future Progression

1. What job would you like to find at the end of your study? _____

2. Is your intention to stay here in NZ after your study/visa ends?

Yes

No

Why or why not?

If not, where do you intend to go? _____

3. Would you recommend study and working in New Zealand to your family and friends?

Yes

No

Why or why not?

4. Overall, would you say that studying in New Zealand is a good deal?

Yes

No

Do you have any additional comments regarding working as a student migrant?

Stage 1B: Working Experiences of Post Study Work Visa Holders

III. Financial Circumstances

1. Do you have a loan for your study?

Yes

No (please move to Section IV below)

2. How is the loan financed?

Family Bank or finance company Scholarship

Other (please state) _____

3. Do you need to repay this loan while you are still studying?

Yes

No

4. Do you need to work to meet your loan commitments?

Yes

No

5. Are you currently working?

Yes

No

V. Working in New Zealand

a. Employment Status

1. Why do you work?

Financial Work experience

Other (please state) _____

2. Have you ever worked in an unpaid internship to gain New Zealand experience?

Yes

No

3. How many jobs have you worked in in New Zealand? _____

4. What jobs were they? _____

5. Which work category best fits your current employment?

- managers
- professionals
- technicians and trades workers
- community and personal service workers
- clerical and administrative workers
- sales workers
- machinery operators and drivers
- labourers

6. What industry do you work in, for example, hospitality: _____

7. What is your job title and briefly, what do you do?

8. What task or duties do you spend the most time on, for example; cleaning:

9. Does your work have any relevance to your course of study?

Yes

No

If yes, please explain _____

10. How did you find this job opportunity? (please tick those that are applicable)

Friends

Classmates

Agents (in home country)

Ethnic Community

Family

Job Advertisement

Other (please state)

b. Employer and Organisation

1. Is the business you work for in New Zealand owned and operated or part of an international group (for example, franchise or chain):

New Zealand owned International organisation Don't know

2. How many people work in this business? _____

3. Where is the business located? _____

4. What is the nationality of the business owner?

5. What is the nationality of your manager? _____

c. Pay and Working Conditions

1. How long have you been in this position? _____

2. Do you have an employment contract?

Yes

No

3. If yes, have you read the contract and are aware of the terms and conditions of work?

Yes

No

4. How many hours per week do you work on average _____

5. Are you guaranteed hours?

Yes

No

6. Are these regular hours or do they vary each week?

Regular

Varied hours

7. Would you like more or fewer hours? _____

8. Do you think your pay is fair? Yes

No

If no, how much do you think you should be paid and why?

9. Have you received a pay rise during your employment?

Yes

No

10. Have you been promoted while working in this position?

Yes

No

11. What qualities do you believe you have gained from working in New Zealand?

- Decision-making
 - Self-motivation
 - Self-esteem/confidence
 - Organisational skills
 - Problem-solving
 - Communication skills
 - Self-discipline Time management capability
 - Ability to work with others
 - New Zealand work experience
 - Other (please list)
-

12. i. Are you a union member?

Yes

No

If yes, which union? _____

ii. Is there any union presence or involvement in your workplace?

Yes

Unsure

No

13. Do you like your job?

Yes

No

14. Do you have a friend at work?

Yes

No

. Overall, would you say that studying in New Zealand is a *good deal*?
Yes No

Do you have any additional comments regarding working as a student migrant?

Thank you for your responses. If you would like to enter the draw for a Gift Voucher, please write your name and email below. These details will be kept confidential.

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014
AUTEC Reference number: 14/131

Appendix F: Advertisement to Participate in Stage Two International Students Working in New Zealand Interview



ARE YOU AN:

- **INTERNATIONAL STUDENT** studying/ or who has studied in the last year at a New Zealand educational institute;
- You are currently working/ or have worked in the last year in paid work in New Zealand; and
- Aged over 18 years old?

If yes, you are invited to share your experiences in a PhD interview on international students working in New Zealand:

Please contact the researcher at:

danae.anderson@aut.ac.nz

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014

AUTEC Reference number: 14/131

Appendix G: Participant Information Sheet for Interviews with International Students Working in New Zealand



Participant Information Sheet

Date Information Sheet Produced:

5th April 2014

Project Title

The Land of Milk and Honey? International Students Working in New Zealand.

An Invitation

My name is Danaë Anderson and I am Doctorate of Philosophy student at AUT University. I invite you to participate in research on student migrants in New Zealand. This research will form the basis of my PhD thesis. Your participation in this research is voluntary and you may withdraw from this research at any time, without adverse consequences.

What is the purpose of this research?

This research forms the basis of my Doctorate of Philosophy degree. The aim of this research is to investigate the working experiences of international students studying in New Zealand. To date extant research has primarily concentrated on either the working experiences of migrants or the educational experiences of international students rather than examining the working experiences of international students. This thesis will attempt to rectify this oversight.

It is anticipated this research will also produce publication(s), presentation(s), and other academic outputs as well as identifying the scope of further research in this area.

How was I chosen for this invitation?

You are being asked to participate in the second stage of a three-stage research project. Stage II asks you to participate in a semi-structured interview on the subject of student migrant work in New Zealand because either you or someone who knows you has indicated that you have participated in work in New Zealand while studying.

What will happen in this research?

I would like to interview you as part of my research project. The research will involve about an hour your time, on an occasion that is convenient to you. The

nature of the questions will require you to reflect on your experience of the work you did/ are doing while studying, and your opinions about these experiences.

With your agreement I would like to audio-tape the interview. You may decline to be audio-taped prior to the interview and you may also ask for the audio-taping to be stopped at any time, without providing a reason. If you choose to withdraw from the research the tape will be destroyed. All information given as a result of this interview will be transcribed and analysed by a transcriber who will sign a confidentiality agreement. A copy of the transcript will be provided to each participant to amend or correct within one month of the interview taking place. After that time the information will be available as a finished Doctoral thesis.

What are the discomforts and risks?

Minimal discomfort or risk is anticipated for any participant. However, the interview may address topics or opinions that you disagree with

How will these discomforts and risks be alleviated?

You may at any time decline to answer any of the questions in the interview, ask the researcher to stop audio-taping or terminate the interview. You also have the right to withdraw any information that you provide, without giving any reason. If you choose to withdraw from this research, any notes and recordings will be destroyed.

Confidentiality is assured, as any information that you provide will not be used to identify you at any stage and all interviewees will be referred to using a nom de plume, e.g. Respondent A.

What are the benefits?

This research will increase available information about student migrants and the impact of their working lives in New Zealand. Because there are varied and often discordant views about the role of student migrant work in New Zealand society, participants may enjoy being able to present their experiences and opinions in a subject area with many perspectives. With the paucity of research in this area to date, the information gathered will help to increase useful data and advise policy.

How will my privacy be protected?

The only people with access to the actual interview data (i.e. the audio tape or transcription of the audio tape) will be my supervisors (Associate Professor Felicity Lamm and Professor Erling Rasmussen) and I. The interview data will be used for the purpose of this research, the writing of my Doctoral thesis and any academic publications that may arise from this research. The data will be kept in a secure location for 6 years and will then be destroyed.

What are the costs of participating in this research?

The only cost of participating in this research is the time you have given to the interview.

What opportunity do I have to consider this invitation?

You will be invited to participate by email and given a week to consider this invitation to be interviewed. At the end of this week, the researcher will contact you by email to see if you wish to proceed with the interview.

How do I agree to participate in this research?

Accompanying this Information Sheet is a research Consent Form. I will ask you to sign this form before our interview takes place.

Will I receive feedback on the results of this research?

You will be given the opportunity to review and edit transcripts of their recordings if requested for one month following the interview. You can be provided with an internet link to the finished research requested.

What do I do if I have concerns about this research?

Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Associate Professor Felicity Lamm: felicity.lamm@aut.ac.nz phone 921 999 ext. 5906.

Concerns regarding the conduct of the research should be notified to the Executive Secretary, AUTEK: Kate O'Connor
kate.oconnor@aut.ac.nz 921 9999 ext. 6902.

Whom do I contact for further information about this research?

Researcher Contact Details: Danaë Anderson danae.anderson@aut.ac.nz

Project Supervisor Contact Details: Associate Professor Felicity Lamm
felicity.lamm@aut.ac.nz

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014
AUTEK Reference number: 14/131

Appendix H: Consent Form for Interviews with International Students Working in New Zealand



Consent Form

Project title: The Land of Milk and Honey? International Students Working in New Zealand.

Project Supervisor: Associate Professor Felicity Lamm

Researcher: Danaë Anderson

- I have read and understood the information provided about this research project in the Information Sheet dated 15 April 2014.
- I have had an opportunity to ask questions and to have them answered.
- I understand that the interviews will be audio-taped and transcribed.
- I understand I will be given a copy of the transcribed interview for approval within one month of the interview.
- I understand that I may withdraw myself or any information that I have provided for this project at any time prior to completion of data collection, without being disadvantaged in any way.
- If I withdraw, I understand that all relevant information including tapes and transcripts, or parts thereof, will be destroyed.
- I agree to take part in this research.
- I understand that in the data collation and published research my identity will remain confidential and that my name and signature will be collected for the purposes of consent only.

Participant 's name:
.....

Participant 's signature:
.....

Participant 's Contact Details (if appropriate):
.....
.....

Date:

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014
AUTEC Reference number: 13/141

Appendix I: Stage Two International Students Interview Topics Guide

Student migrants working in New Zealand will have a variety of work and study experiences and this phase seeks to explore in greater detail some of the themes addressed in the Stage I survey.

With the semi-structured interview format, I anticipate following broad themes that will lead to other areas of discussion that may not be included in my interview topics.

Biographical information

- How old are you?
- What ethnicity/ gender are you?
- What are/were you studying in New Zealand, what type of institution?

Working experiences

- Can you tell me about the work you have done while studying in New Zealand?
- What sort of job was it? (the respondent may have worked in more than one position which can each be discussed)
- How did you get this job: advertisement/ word of mouth/ through friends etc...?
- Were you working for a member of your ethnic community?
- What type of work do you do?
- How many people work in the firm?
- How many hours on average did you work?
- How much were you were paid? Did you think this pay was fair?
- If no, how much more do you think you should have been paid and why?
- Did you know what other staff members were paid for doing a similar job?
- What did you do with the money you earned? Were the earnings sufficient for your cost of living/ loan etc.?
- Was there any progression or promotion in these jobs?
- Did you get pay increases?
- Was working while studying helpful other than financially? Why/ why not?
- What are the main skills you gained from this work?
- How have these skills benefited you? (i.e. generally, value of money, to gain better positions etc...)

Rights

- Do you have a written employment contract? If so, did you read this contract?
- Are you aware of your rights and responsibilities as an employee?
- How are you treated by your boss and colleagues?
- Have you ever felt exploited? By who?

- Do you know about legislation covering:
 - 1) Minimum age for work
 - 2) Minimum wage
 - 3) Health and safety

- Are you a member of a union? If so, which union?
- If not, were you aware of what unions do and that you could join one?
- Are you aware of the role of the Department of Labour? Have you ever had any contact: call centre or inspectorate?

- Have any of your workmates or classmates had any contact with this agency?

Workplace safety

- Have you ever felt unsafe in your workplace? If so, why?
- Have you ever had an accident while working? If so, what did your employer do?
- Are you aware of the ACC system?

Progression

- Has your time studying in New Zealand been a good experience?
- Would you recommend New Zealand as a destination for other international students?
- Do you intend to stay in New Zealand? What would you like to work as?
- Did you apply for other jobs? Have they all been in the formal labour market?
- Were you successful?
- Do you think your previous work will help/ has helped find work in New Zealand?
- Why do you think so few student migrants remain in New Zealand after completing their study? Is it lack opportunity here/ returning home to family obligations or inability to find work?

Appendix J: Invitation to Participate for Key Stakeholders (Email)

The Land of Milk and Honey? International Students Working in New Zealand

Dear (name)

My name is Danaë Anderson and I am currently studying for a Doctorate of Philosophy degree in the Department of Management at Auckland University of Technology (AUT).

I would like to invite you to participate in research that I am conducting as part of my Doctoral Thesis. The aim of this research is to investigate the working experiences of international students studying in New Zealand. This research forms the basis of my Doctorate of Philosophy degree. To date extant research has primarily concentrated on either the working experiences of migrants or the educational experiences of international students rather than examining the working experiences of international students. This thesis will attempt to rectify this oversight.

It is anticipated this research will also produce publication(s), presentation(s), and other academic outputs as well as identifying the scope of further research in this area.

Given your expertise and/or opinion on this subject, I would like to interview you as part of my research project. The interview will involve about an hour of your time, on an occasion that is convenient to you.

The nature of the questions will require you to reflect on how you and/ or your organisation (if representing their opinion in an official capacity) understand student migrants working in New Zealand and interrelated issues.

If you are interested in participating in this research, please email me so I can send you a Participant Information Sheet with more information about this research project.

If you have any questions, please contact me by email, or the contact details of my supervisor are below.

Yours sincerely

Danaë Anderson:

danae.anderson@aut.ac.nz

Project Supervisor: Associate Professor Felicity Lamm:

flamm@aut.ac.nz

**Approved by the Auckland University of Technology Ethics Committee on: 19
May 2014 AUTEK Reference number: 14/131**

Appendix K: Participant Information Sheet for Interviews with Key Stakeholders About International Students Working in New Zealand



Participant Information Sheet

Date Information Sheet Produced:

5th April 2014

Project Title

The Land of Milk and Honey? International Students Working in New Zealand.

An Invitation

My name is Danaë Anderson and I am Doctorate of Philosophy student at AUT University. I invite you to participate in this research on student migrants in New Zealand. This research will form the basis of my PhD thesis. Your participation in this research is voluntary and you may withdraw from this research at any time, without adverse consequences.

What is the purpose of this research?

This research forms the basis of my Doctorate of Philosophy degree. The aim of this research is to investigate the working experiences of international students studying in New Zealand. To date extant research has primarily concentrated on either the working experiences of migrants or the educational experiences of international students rather than examining the working experiences of international students. This thesis will attempt to rectify this oversight.

It is anticipated this research will also produce publication(s), presentation(s), and other academic outputs as well as identifying the scope of further research in this area.

How was I chosen for this invitation?

You are being asked to participate in the second phase of a three-phase research project. Phase Two asks you to participate in an interview on the subject of student migrant work in New Zealand because you have expertise, interest, or engagement in this issue.

What will happen in this research?

I would like to interview you as part of my research project. The research will involve about an hour your time, on an occasion that is convenient to you. The nature of the questions will require you to reflect on your experience of the work you did/ are doing while studying, and your opinions about these experiences.

With your agreement I would like to audio-tape the interview. You may decline to be audio-taped prior to the interview and you may also ask for the audio-taping to be stopped at any time, without providing a reason. If you choose to withdraw from the research the tape will be destroyed. All information given as a result of this interview will be transcribed and analysed by a transcriber who will sign a confidentiality agreement. A copy of the transcript will be provided to each participant to amend or correct within one month of the interview taking. After that time the information will be available as a finished Doctoral thesis.

What are the discomforts and risks?

Minimal discomfort or risk is anticipated for any participant. However, the interview may address topics or opinions that you disagree with.

How will these discomforts and risks be alleviated?

You may at any time decline to answer any of the questions in the interview, ask the researcher to stop audio-taping or terminate the interview. You also have the right to withdraw any information that you provide, without giving any reason. If you choose to withdraw from this research, any notes and recordings will be destroyed.

What are the benefits?

This research will increase available information about student migrants and the impact of their working lives in New Zealand. Because there are varied and often discordant views about the role of student migrant work in New Zealand society, participants may enjoy being able to present their experiences and opinions in a subject area with many perspectives. With the paucity of research in this area to date, the information gathered will help to increase useful data and advise policy.

How will my privacy be protected?

The only people with access to the actual interview data (i.e. the audio tape or transcription of the audio tape) will be my supervisors (Associate Professor Felicity Lamm and Professor Erling Rasmussen) and I. The interview data will be used for the purpose of this research, the writing of my Doctoral thesis and any academic publications that may arise from this research. The data will be kept in a secure location for 6 years and will then be destroyed. In the finished publication you will be identified by your name, organisation and position.

What are the costs of participating in this research?

The only cost of participating in this research is the time you have given to the interview.

What opportunity do I have to consider this invitation?

You will be invited to participate by email and given a week to consider this invitation to be interviewed. At the end of this week, the researcher will contact you by email to see if you wish to proceed with the interview.

How do I agree to participate in this research?

Accompanying this Information Sheet is a research Consent Form. I will ask you to sign this form before our interview takes place.

Will I receive feedback on the results of this research?

You will be given the opportunity to review and edit transcripts of their recordings if requested for one month following the interview. You will be provided with an internet link to the finished research if you wish.

What do I do if I have concerns about this research?

Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Associate Professor Felicity Lamm felicity.lamm@aut.ac.nz 921 999 ext. 5906.

Concerns regarding the conduct of the research should be notified to the Executive Secretary, AUTEK Kate O'Connor kate.oconnor@aut.ac.nz 921 9999 ext. 6902.

Whom do I contact for further information about this research?

Researcher Contact Details: Danaë Anderson danae.anderson@aut.ac.nz

Project Supervisor Contact Details: Associate Professor Felicity Lamm felicity.lamm@aut.ac.nz

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014 AUTEK Reference number: 14/131



Consent Form

Project title: The Land of Milk and Honey? Student Migrants Working in New Zealand.

Project Supervisor: Associate Professor Felicity Lamm

Researcher: Danaë Anderson

- I have read and understood the information provided about this research project in the Information Sheet dated 15 January 2014.
- I have had an opportunity to ask questions and to have them answered.
- I understand that the interviews will be audio-taped and transcribed.
- I understand I will be given a copy of the transcribed interview for approval within one month of the interview.
- I understand that I may withdraw myself or any information that I have provided for this project at any time prior to completion of data collection, without being disadvantaged in any way.
- If I withdraw, I understand that all relevant information including tapes and transcripts, or parts thereof, will be destroyed.
- I agree to take part in this research.
- I understand that in the data collation and published research my identity, position and organisation will be identified.

Participant name:

.....

Participant's signature:

.....

Participant's Contact Details (if appropriate):

.....
.....

Date:

.....

Approved by the Auckland University of Technology Ethics Committee on: 19 May 2014
AUTEC Reference number: 14/131

Appendix M: Stage Two International Student Stakeholder Interview Topics Guide

With the semi-structured interview format, I anticipate following broad themes that will lead to other areas of discussion. Those interviewed will be asked to answer questions in three broad areas:

Biographical information

What organisation do you work for? What is your role?

Economic and social impact

- What do you believe is the true extent of student migrants working in New Zealand?
- What you think is the real impact on New Zealand's labour market?
- Are some jobs demarcated as 'migrant work', and hence offered little progression or protection?
- In a low-wage economy such as New Zealand, do you think student migrants dominating particular work sectors could be argued to be a tool to moderate wage demands or section particular jobs as only available to some workers?
- Do you think this demarcation of roles has positive or negative effects on New Zealand, in areas such as educating and up-skilling the workforce?
- Why do you think so few student migrants remain in New Zealand after completing their study? Is it lack of opportunity here/ returning home to family obligations or inability to find work?

Policy settings

- What do you think the government's policy objectives for regulation of student migrants' work are?
- What do you think is the general perception of the effects of student migrants' working while they are studying? Is this correct?
- Do you think the current legislation and regulation impacting on migrant work is effective? Why or why not?
- What do you think could be done better in terms of regulation, monitoring and enforcement?
- And if there is a problem, why do you think the government has been so _hands off 'in both regulation and discussion in this area?

- Will any policy solution really address the problem: in terms of addressing health and safety concerns, the hours of work and the appropriate role so work doesn't undermine student migrants' education?
- Do you think the lack of regulation by successive governments indicate a lack of commitment by the government for addressing the issues in this area?

Solutions

- What do you believe is an appropriate level of regulation so that student migrants can work in safe and fair workplaces?
- Are you concerned with the seeming ambiguities about practical implementation of reform in this area: how will regulation be measured?
- Do you think there is any impetus to regulate in this area? Is regulation 'out of step' with the community?
- Is regulation of labour conditions the solution? If New Zealand signed to the international protocols do you think the situation would improve for student migrants working in New Zealand?

Appendix N: Researcher Safety Protocol

- For **Stage II interviews**, face-to-face data collection will not occur in participant's homes. Participants will be invited to attend an interview either in a public place such as a café, or at a meeting room of offices at the AUT Business School.
- Some key stakeholders interviewed at **Stage II** may prefer an interview is conducted at their workplace, where they may be representing an organisation. Given the profile of most stakeholders workplaces are considered appropriate and safe locations.
- For all interviews my supervisor or another contact person will be made aware of the interview time and location.
- The contact person will be notified by text or phone call when I arrive at the interview venue. They will also be told the estimated length of the interview. Further contact must be made by the interviewer within 45 minutes of the estimated interview end time.
- If contact is not made by the interviewer with the contact person within the agreed timeframe then the contact person will contact the interviewer via text or phone.

Appendix O: Key Research Findings

LITERATURE	RESEARCH FINDINGS		
Researcher's previous work and Literature Review findings	Stage One Survey	Stage Two International Student Interviews	Stage Three Key Stakeholder Interviews
<ul style="list-style-type: none"> • Limited investigation of international students who are studying and working. • Little NZ-based research, most from government agencies. • Exponential growth of migration worldwide, primarily for work. • Migrant population is generally younger than host country average. • Primary trend is movement from global south to global north. • Labour market demarcation between migrants and domestic workers leads to vulnerability. • Lack of access to public funds for temporary migrants and international students. • Politicised migration patterns. • Educational migration as an opportunity for host country and international students. • Mobility of IS exceeds general migration. • Asia largest market of IS. • Motivation for students studying overseas is varied but linked to labour market, long-term goals. • Export education extremely important for NZ - more than other comparable countries. 	<ul style="list-style-type: none"> • Young sample, dominance of Indian and Chinese. • Opportunity for residency primary motivation for NZ study. • Variety of educational institutes, largest group were studying at post-graduate level. • Majority of Indian students had loans for study. • Work motivations were financial, for NZ experience, work as a pathway to permanent residency. • Most common employment source was through friends. • Students classified their work category, but reclassification was needed due to description of job characteristics. • Representation across all industries but particularly the service sector. • Most businesses employing IS were NZ-owned and of medium size. • Most IS in Auckland. 	<ul style="list-style-type: none"> • Many mentioned poor/unrealistic advice from agents about costs and opportunities. High living costs were a surprise. • Perception of safety, cost, and potential to stay longer term. • Little mention of the reputation of the educational institute or courses chosen. • Study areas that would offer potential for permanent migration were preferred. • Concerns about the relevance of their study and lack of links to industry, as well as teaching quality. • Pastoral care by universities fared particularly poorly, with only one respondent out of six saying that they were pleased with the support services, and little guidance in transitioning to work was offered. • High living costs, with funds often inadequate. • Difficulties finding work. 	<ul style="list-style-type: none"> • Realistic understanding of students' choices about coming to NZ to study in terms of desire for permanent residency, as well as affordability and perceived safety. • Education quality was not seen as a primary motivator, concerns were raised about education quality and usefulness of qualifications. • Lack of pastoral care mentioned by some involved in the area. • Poor quality housing and high costs in Auckland a concern. • Falsified evidence of funds well known. • Ability to work part of attracting students, but potentially in conflict with study. • Barriers to entry into LM.

LITERATURE	RESEARCH FINDINGS		
Researcher's previous work and Literature Review findings	Stage One Survey	Stage Two International Student Interviews	Stage Three Key Stakeholder Interviews
<ul style="list-style-type: none"> • Successive government policies aim to attract and retain IS until recent legislative changes. • Youth, language competence, gender, visa conditionality contributors to vulnerability. • Significant financial outlay and/or stress for many students. • \$ primary work motivation to work, along with gaining NZ experience. • High living costs in NZ. • IS congregate in low-paid sectors with high use of precarious forms of labour. • Migrant work primarily in primary and service sectors – Migrant Division of Labour (MDL). • NZ skill shortages filled primarily by migration categories outside Student Visas. • Media reporting of migrant exploitation cases. • Migrant workers more likely to be employed on a non-permanent basis, paid at incorrect or illegal rate, or not be paid for the hours worked. • Migrants exposed to more OHS risks and experience higher vulnerability and above average levels of injury and illness. Link to work conditions. • NZ has poor OHS record generally- presumed worse for migrants. • Many migrants work illegally either by breaching their visa conditions or working beyond their work rights. 	<ul style="list-style-type: none"> • Nearly half IS sample working more than 20 hours, 20% working more than full time. • Fifty per cent of sample were paid below minimum wage. • Most responses said they had gained positive skills and attributes from working in NZ. • Unclear link between study and work undertaken. • Near unanimous response of feeling safe at work but the majority also felt exploited in their work. • Exploitation was from managers, within ethnic communities. Fear of losing their job or promised visa sponsorship meant few would report. • Working extra hours, below minimum wage, cash in the hand were most frequent breaches. • Mistrust of government agencies meant few reported exploitation. • Union representation was very low at both stages. • Most respondents intended to stay in NZ after study. • Significant minority would not recommend studying and working in 	<ul style="list-style-type: none"> • Most reported friendship at work. • Service sector dominance for employment. • Migrant status made them vulnerable in LM. • Low pay rates, some illegal. • Reporting of racism and discrimination • Little link between their qualifications and work they had found. • Very few liked their jobs. • Lack of confidence in understanding relevant legislation. • Poor employment conditions generally. • No union membership, low workplace representation. • Inconclusive evidence about the link between employment status and OHS outcomes. • Employee engagement minimal. • Pragmatism/resignation over poor working conditions • Most wished to stay in New Zealand. 	<ul style="list-style-type: none"> • Unskilled and undesirable work. • Vulnerability factors presented, including visa category. • Exploitation more recently acknowledged by government but commonplace. • Ethnically-based hiring and exploitation largely unreported. • Poor work quality and OHS risks. • Views on unions divided- as a protective mechanism or blocking access for migrant workers. • Exploited vs. those gaming the system. • Impact of international student work could drive down terms and conditions. • Concern about poor transition of international students. • Criticism of monitoring and enforcement mechanisms from those working in sector.

LITERATURE	RESEARCH FINDINGS		
Researcher's previous work and Literature Review findings	Stage One Survey	Stage Two International Student Interviews	Stage Three Key Stakeholder Interviews
<ul style="list-style-type: none"> • Often co-ethnic exploitation. • IS are contingent temporary labour, more likely to be underpaid than students generally. • IS have limited transition to better work following end of study, and small numbers stay long- term in the host country. • Politicisation of migration regimes. • Restriction of labour migration in western economies. • De-regulated labour market • Highly competitive migration industry sectors. • The organisation of work is changing from standard to non-standard work across many industries. • Increase in flexible work practices. • Restructuring, downsizing, outsourcing, market fragmentation. • Poor health and cumulative effects, high stress, fatigue, and loneliness in many employment situations. 	<p>NZ but were generally positive about NZ experience.</p> <ul style="list-style-type: none"> • Post -study IS felt pay was unfair and they were being paid less due to migrant status. • Trade-off between conditions in home country to live and work in New Zealand. • Choice of study location was primarily impacted by residency opportunity and cost. Students were less concerned with education quality. • Motivation to work was to gain NZ experience and potential residency opportunity. • Work dominated by service sector employment. • Vulnerability was linked to nationality, desire to stay and availability of funds for mobility. • Work that was non-standard was the norm. • Those reporting having a friend at work were more likely to like their work • Stage 1B • Continuing concerns as at Stage 1A • Little transition to better work 	<ul style="list-style-type: none"> • NZ was not seen as a 'good deal' generally. • Perception of unfairness of treatment due to migrant status. 	<ul style="list-style-type: none"> • Disapproval of Education NZ goal to increase the sector value. • Inspectorate inability to pursue cases within their current remit. • Poorly functioning regulatory system. • Application of policy was inconsistent. • Non-regulation of offshore agents. • Immigration control could be used in labour area. • Greater interaction needed between regulatory agencies and determining extent of the problem. • Consistency of treatment for all students. • Risks to the sector include reputational damage, limited market reliance, poor worker treatment. • Measure of success in matching skills with domestic labour shortages.

LITERATURE	RESEARCH FINDINGS		
Researcher's previous work and Literature Review findings	Stage One Survey	Stage Two International Student Interviews	Stage Three Key Stakeholder Interviews
	<ul style="list-style-type: none"> • Difficulty obtaining work • Hiring within ethnic communities • Work misrepresentation or ack of knowledge? 		<ul style="list-style-type: none"> • Diffuse views on appropriate size of the sector without significant change.

Appendix P: Confidentiality Agreement for Transcriber



Confidentiality Agreement

For someone transcribing data, e.g. audio-tapes of interviews

Project title: **The Land of Milk and Honey? International Students
Working in New Zealand**

Project Supervisor: **Associate Professor Felicity Lamm**

Researcher: **Danaë Anderson**

- I understand that all information I will be asked to transcribe will be confidential.

- I understand that the copies of the tapes and recordings can only be discussed with the researchers on this project.

- I will not keep any copies of the transcripts nor allow third parties access to them.

Transcriber's signature:

.....

Transcriber's name:

.....

Transcriber's contact details (if appropriate):

.....

Date:

.....

Project Supervisor's contact details (if appropriate):

.....

.....

.....

**Approved by the Auckland University of Technology Ethics Committee on: 19
May 2014**

AUTEC Reference number: 14/131

Note: The transcriber should retain a copy of this form

Appendix Q: MBIE response to 2017 Official Information Act 1982 Request about Labour and Immigration Policy, Monitoring and Enforcement Mechanisms

MINISTRY OF BUSINESS,
INNOVATION EMPLOYMENT
HTKINA WHAKATUTUKI

PO Box 5488, Wellington 6011
New Zealand Phone +64 4 901 1499
info@mbie.govt.nz

DOIA 1718-0074

30 August 2017

Danaé Anderson
Research Analyst, Lecturer
Business & Law Research
Auckland University of Technology

danae.anderson@aut.ac.nz

Dear Ms Anderson

Thank you for your email dated 6 July 2017 to the Labour Inspectorate (the Inspectorate), within the Ministry of Business, Innovation and Employment (the Ministry), containing a request for information under the Official Information Act 1982 (the Act), as follows.

Background:

1. How many labour inspectors are there now in New Zealand? In Auckland? Are the numbers at full capacity?

There are 61 Labour Inspectors in New Zealand and 21 are based in the Auckland area. The greater Auckland region has two offices: Northern (based in Central Auckland with 13 inspectors) and Counties-Manukau (8 Inspectors). The Inspectorate is at full capacity save for one vacancy.

2. What are the primary complaints that are investigated by inspectors?

Not all employment standards complaints are investigated by Labour Inspectors. A filtering and prioritising system is applied to complaints received, which is aligned to the Labour Inspectorate's stated priorities. These priorities include exploitation of workers, large systems issues, and non-compliant business models. The Inspectorate also considers that certain workers are more vulnerable than others, including migrant and young workers, and therefore applies priority to those employees.

3. Statistics used to be published about the number of visits done per week. Are these still available and what are the recent numbers?

The Inspectorate no longer publishes statistics about the number of visits completed per week. Labour Inspectors regularly visit either an employer's office or a workplace during the course of an investigation and may do so a number of times. Since July 2012, 4,076 investigations were collected by the Inspectorate.

4. Media coverage has said that over half of labour inspectorate investigations in Auckland are concentrated on migrants. What are their specific complaints?

While most complaints from migrants relate to the usual minimum standards breaches, such as not being paid minimum wage or not receiving holiday pay upon leaving a role, an emerging issue that the Inspectorate is seeing more frequently centres on migrant workers being charged a premium for a job. This is when an employer will exploit their position to solicit a payment from a worker for employment, which is illegal in New Zealand.

With respect to questions five and six below, those questions are answered having regard to you clarification provided on 26 July 2017:

5. Do you believe the changes in government legislation (e.g. new migrant protection legislation) have had an impact? If so, how? Is the impact measured in any way?

26 July 2017 scope: While I have answers from Immigration in this area, I would like to know what/how information is shared. With the Immigration Amendment Bill (2) passing in 2015, penalties for migrant worker exploitation were increased along with search powers.

I would assume that as these issues are employment related this would have involvement from the Labour Inspectorate in addition to Immigration?

Is the tightening of regulations delivering change in terms of numbers prosecuted/changing behaviour etc., i.e. what is hoped to be achieved here?

While the Employment Standards Legislation Bill has not been legislated for long, the inclusion of a package of measures to strengthen enforcement of employment standards, along with recruitment bans for employers, has signalled a strengthening of legislation.

What is [are] the expectation/measurements of success for this legislation?

The Inspectorate and Immigration New Zealand (INZ) work closely together on the issue of exploitation of migrant workers. Both agencies frequently run joint operations utilising the best legislation that they have available to them to undertake prosecutions.

Addressing the exploitation of migrants is a priority for the Inspectorate, which includes workers on a student visa, and the Inspectorate works with INZ, and other Government agencies, as part of a whole-of-government approach to combat migrant exploitation. It is an ongoing part of the Inspectorate's approach to highlight migrant exploitation cases to the media to encourage compliance across the labour force, as well as instilling ownership and management of the risks of labour standards breaches.

The Employment Standards Legislation Bill, which came into force on 1 April 2016, strengthened the enforcement of employment standards. The amendments incorporated numerous changes to the affected legislation (Employment Relations Act 2000, The Parental Leave and Employment Protection Act 1987, Minimum Wage Act 1983, Holidays Act 2003,

Wages Protection Act 1983), including much tougher sanctions for serious breaches of minimum entitlement provisions, such as Banning Orders and Pecuniary Penalties.

Due to the abovementioned legislation being recently implemented, it is too early to definitively assess or measure successes, e.g. in terms of employer behaviour, so we do not expect to see instant results. What we expect to achieve is an increase in compliance driven by market transparency. We are starting to see this emerge through industry bodies embracing third party audits to ensure employment standard compliance. The Inspectorate's aim is to have 90 per cent of employers in targeted sectors conduct self-assure compliance by 2023.

One power allowed by the Bill towards transparency is for Labour Inspectors to issue an employer an Infringement Notice of \$1000 per charge, per employee, and up to a maximum of \$20,000, for failing to keep employment records. Since 1 April 2016, 101 Infringement Notices have been issued, totalling \$305,000 in fines.

Furthermore, the Inspectorate and INZ are now proactively releasing the names of employers who have been subject to sanctions for breaching minimum employment standards and are, therefore, ineligible to support certain visa applications for a set period. A list of such employers went live on 14 June 2017 and will be regularly updated.

A link to this list, and Information about the standards, can be found through INZ's website as follows: <https://www.immigration.govt.nz/employ-migrants/explore-your-options/yourresponsibilities-obligations/law-immigration-employment/employment-law>

Alternatively, this list can be directly accessed through the Employment New Zealand website: <https://www.employment.govt.nz/resolving-problems/steps-to-resolve/labourinspectorate/employers-who-have-breached-minimum-employment-standards>

6. How many cases have been pursued by the Inspectorate under the new legislation? Is it having an impact?

26 July 2017 scope: Here I am looking for investigations and prosecutions to signal changes over time. The information about Inspectorate visits etc. used to be available in annual reports but isn't listed any more. While there has just been publicity over BOP breaches; how many inspections are carried out?

No decisions have yet been made by the Employment Court under the new provisions in the Employment Standards Legislation Bill. The new sanctions apply only to breaches that have been performed since the new legislation was enacted, so the majority of enforcement action currently pursued by the Inspectorate is being decided under the legislation prior to the changes.

While the Inspectorate is achieving some good outcomes through the courts, it is looking forward to applying the new legislation and seeking the stronger sanctions now available, therefore, we do not have statistics under the new legislation to provide you. As such, we are refusing this part of your request under section 18(e) of the Act as the information requested does not exist.

We have, however, provided you with statistics on the Inspectorate's activity in the past three financial years. In particular, the number of: completed investigations, filed

applications to the Employment Relations Authority (ERA), issued Improvement Notices (IN), and signed Enforceable Undertakings (EU) (refer to Annex 1 herein).

As a subset of this data, between January 2014 and January 2017, the Inspectorate completed 1,591 investigations involving migrant workers, 1,086 of these investigations identified breaches with minimum employment entitlements. Of these, the Inspectorate recorded 118 investigations involving workers on a student visa, and in 72 of these instances breaches were identified (Please refer to Annex 2 herein). Investigations which involved students on a work visa, and which were initiated by a complaint (from an employee or member of the public) between January 2014 and July 2017, are also included in Annex 3.

7. Anecdotal evidence is that labour inspectors are only investigating breaches of minimum standards due to a lack of staffing capacity. Can you comment on this?

The Inspectorate has made a deliberate strategic choice to position itself as the regulator of employment standards rather than performing a 'consultancy' type role for business. It follows that the bulk of the Inspectorate's work is now focussed on investigation and enforcement action where breaches of minimum standards are identified. Employment Services Information and Education functions, the Employment Standards (Early Resolution) Team, the Employment Contact Centre, as well as elements of the Employment Services Disputes Resolution team, all provide support to employers and employees in accordance with their respective roles. Other agencies also play a significant role in supporting employment. INZ publishes material and provides field staff to support migrant worker employment relationship. Inland Revenue (IR) is highly active through its Community Compliance Group reaching many small and intermediate businesses. Employment Services in the Ministry has a close working relationship with IR. IR have in fact adopted 'employers' as its annual focus for 17/18 and are putting concerted effort into supporting and encouraging employers to understand their responsibilities and meet their obligations.

You can find more information at: <https://www.employment.govt.nz/resolving-problems/steps-to-resolve/labour-inspectorate/>

With regards to staffing, the Inspectorate has a scalable approach, and Labour Inspectors will travel around the country and work outside normal business hours when required.

Specifically in terms of the regulatory work, the Inspectorate prioritises cases involving worker exploitation, non-compliant business models, and systemic breaches, which forms the basis for its proactive investigations, targeting sectors with recognised compliance issues. As well as proactive investigations, the Inspectorate regularly responds to and investigates complaints.

The sectors targeted by the Inspectorate include the horticulture, hospitality, retail, dairy, and construction industries. The Inspectorate also supports industry bodies, such as Horticulture New Zealand, Wine New Zealand, Dairy NZ, and Business Service Contractors in taking a greater role in increasing their members' compliance with employment law. As earlier indicated, the Inspectorate is taking an all-of-government, connected and strategic approach to tackling non-compliance. This includes working closely with INZ, IR, WorkSafe and ACC.

By working at a systemic level, the Inspectorate aims to improve nationwide compliance with employment law to help all workers and businesses.

- International Students

8. Do you think that international students have characteristics that make them different/more vulnerable than other migrants working in New Zealand?

International students work in industries that are more likely to have relatively high rates of non-compliance, such as retail, hospitality and horticulture. Student visa holders with work rights can only work for a maximum of 20 hours per week throughout most of the year. Their visas are not tied to a specific employer so they could look for work with another employer at any time. Students are required to provide evidence to INZ of funds to be able to support themselves while they are in New Zealand in order to get a visa.

9. There is evidence that a significant number of international students are being exploited in their places of work. Do you think this is a problem and how can it be mitigated?

The Inspectorate considers any form of exploitation to be an issue. We are working to mitigate this through our sector strategies which target problem industries. The Inspectorate is looking to move these industries to a self-assurance model through identifying breaches and prosecuting them.

10. Do you believe this issue is widespread in some New Zealand sectors and how does the Inspectorate try to approach this?

The Inspectorate frequently undertakes proactive investigations in the previously mentioned industries to check compliance with minimum employment standards, such as paying the minimum wage, holiday and leave entitlements, protection from unlawful deductions and payments for job offers, provision of employment agreements, equal pay, break entitlements, and flexible working arrangements.

11. Is the Department of Labour ⁴⁰ seeing an increase in the number of international students reporting illegal/il/ treatment with the increased penalties?

No, the Inspectorate is not seeing an increase in the number of international students reporting illegal or ill treatment with the increased penalties.

12. How can you specifically target international students (e.g. information campaigns, workplaces etc.)?

The Inspectorate recognises that migrant workers, including international students, are a particularly vulnerable section of the workforce. Migrant workers have the same employment rights as all other workers in New Zealand; however, they are less likely to be aware of their rights and entitlements than New Zealand workers.

I reiterate that addressing the exploitation of migrants is a priority for the Inspectorate, and we will continue to proactively work with INZ, and other government agencies, as part of a whole-of government approach to combat migrant exploitation. Moreover, the Inspectorate and INZ frequently undertake joint operations, and will continue to do so.

13. In your opinion, what would successful outcomes for international students who are working look like? How close is the situation currently to that?

⁴⁰ Please note that the Department Of Labour became part Of MBIE in 2012.

It is the Inspectorate's view that successful outcomes for international students working in New Zealand are that students are able to find employment which meets their visa requirements, and supplies sufficient, exploitation free, income to support their study.

- Data collection

14. What data do you collect on the experiences of International students working? How is this collected?

International students, who are employees, are interviewed as part of the Inspectorate's investigations; however, the Inspectorate does not conduct general surveys of international students' experiences to collect such data. Therefore, I am refusing this part of your request under 18(e) as the information does not exist. Nevertheless, the Ministry's Evidence, Monitoring and Governance team has suggested that the following publicly available information published by the Ministry could be useful to your research as follows:

The annual Migration Trends 2015/16 report contains information on residence outcomes for students, and uses statistical analysis from government administrative data sets:

<http://www.mbie.govt.nz/publications-research/research/migrants---monitoring/migration-trends-and-outlook-2015-16.pdf>

The Vulnerable Temporary Migrant Workers: Hospitality Industry, August 2015, report includes some information on international students:

<http://www.mbie.govt.nz/publications-research/research/migrants---settlement/vulnerable-temporary-migrant-workers-hospitality-industry-2015.pdf>

This International students in non-compliant employment report 2014, includes information from the International expenditure survey and the I-Grad survey, in which the Ministry included questions on students' work experiences: <http://www.mbie.govt.nz/publications-research/research/migrants--settlement/international-students-non-compliant-employment.pdf>

The information needs of international students in New Zealand tertiary institutions, 15 April 2014: <http://www.mbie.govt.nz/publications-research/research/migrants---settlement/information-needs-of-international-students.pdf>

The Evaluation of the Canterbury Work Rights initiative, October 2014, includes a section on international students' work experience: <http://www.mbie.govt.nz/publications-research/research/migration/evaluation-canterbury-work-rights-initiative-2014.pdf>

The Life after Study report contains information on settlement and labour market outcomes for students; however, the data is from 2010. The methodology is stated in the report: <http://www.mbie.govt.nz/publications-research/research/migrants---settlement/iife-after-study.pdf>

15. What evidence does the Labour Inspectorate have on the level of vulnerability/exploitation of international students in the work context?

The Inspectorate does not collect or hold data on the level of exploitation of international students in New Zealand workplaces. Therefore, we are refusing this part of your request under section 18(e) of the Act as the information requested does not exist. However, the

Inspectorate recognises that migrant workers, including international students, can be in a more vulnerable position than other employees, which is why this is one of the Inspectorate's priority areas.

16. What information is shared with other government agencies — e.g. Education NZ, Immigration etc.?

I reiterate that the Inspectorate is taking an all-of-government, connected and strategic approach to tackling non-compliance and sharing relevant information, including working closely with INZ, IR, WorkSafe and ACC. Under arrangements in place, information of a broad nature, which assists in identifying and prosecuting unlawful behaviour, can be, and is shared.

17. What strategies does the Inspectorate have to mitigate potential and existing issues concerning international students? How would you measure success?

The Inspectorate operates strategies in sectors of the labour market where many international students find employment (such as in the horticulture, hospitality and retail sectors). As earlier indicated, the Inspectorate frequently undertakes proactive investigations in these industries to check compliance with minimum employment standards.

- Policy settings

18. What do you think could be done in addition to current regulation, monitoring and enforcement to protect migrant students?

As already articulated to you by the Ministry's Labour and Immigration Policy Team, a new Education (Pastoral Care of International Students) Code of Practice came into force on 1 July 2016. This code was designed to both support and care for international students in New Zealand. The Ministry of Education is leading work to develop an International Student Wellbeing Strategy, and there are already a number of initiatives underway. For example, the Auckland Agency Group includes government departments, District Health Boards, and the Human Rights Commission, and has a number of programmes underway to support and inform international students.

19. How does the Ministry intend to "future proof" the sector in terms of the balance between work and study aspirations?

I refer you to the government reviewed international strategy, and the shift in focus. Education New Zealand is responsible for this strategy. INZ has substantial settlement information on its website and the Immigration Advisors' Authority (IAA) has run an information campaign in India. More broadly the strategic approach of the Inspectorate is to have high risk industries explicitly manage the risk of non-compliance with employment and immigration standards through their own risk and assurance regimes. The accompanying media articles illustrate this approach in practice:

<https://www.stuff.co.nz/business/95595998/the-apple-and-pear-industry-went-pipsqueaky-cleanon-labour-exploitation-and-others-are-following>

<http://www.radionz.co.nz/national/programmes/ninetonoon/audio/201854633/overseas-retailersdemand-fair-labour-standards>

20. Do you think there is any impetus by the government to further regulate in this area?

As already articulated to you by the Ministry's Labour and Immigration Policy Team, officials are currently considering the regulatory settings in relation to provision of immigration advice.

Any individual providing New Zealand immigration advice, either in New Zealand or offshore, must be already licensed unless explicitly exempt. There are some limited exemptions from this licensing requirement including an exemption for immigration advice provided offshore in relation to student visas only. There have been reports that some of these offshore education agents are providing immigration advice beyond the scope of the exemption, which is leading to negative outcomes for affected international students.

Offshore education agents were specifically exempted from the requirement to be licensed due to concerns about the likely negative impact on the New Zealand export education industry. Education agents are responsible for the majority of offshore student visa applications, and most send students to a range of countries.

The exemption of offshore education agents is being looked at in the current review of the Immigration Advisers Licensing Act 2007. This will be considered alongside advice on other related work being undertaken by government agencies, including Education New Zealand's review of its recognised agencies programme, ENZRA. The ENZRA review will provide recommendations as to whether ENZRA should continue, and if so, what improvements can be made.

Within this context it is also important to note that education providers have obligations, under the Education (Pastoral Care of International Students) Code of Practice 2016, to recruit students responsibly and to take responsibility for those who recruit on their behalf.

You have the right to seek an investigation and review by the Ombudsman of our response to your request. Advice on how to contact the Ombudsman is available at: www.ombudsman.parliament.nz or freephone: 0800 802 602.

Yours sincerely



Yours sincerely

Stu Lumsden
Acting National Manager
Labour Inspectorate

IMMIGRATION POLICY INTERVIEW QUESTIONS

Background

1. Can you please explain your role at Immigration NZ?

Several different parts of MBIE have fed into the responses below, including MBIE Immigration Policy, INZ Visa Services, INZ Compliance, Risk and Intelligence Services, and INZ Settlement, Protection and Attraction.

2. How many immigration inspectors are there in New Zealand? How many are based in Auckland?

There are 19 Immigration Investigators nationwide. 15 are based in Auckland.

3. Can you tell me about the role of immigration investigation to ascertain the legitimacy of visa applications? How is this done and how many investigations are undertaken on average annually?

The Investigations team supports INZ's strategy to manage and minimise immigration harm by investigating and, with MBIE Legal teams and/or Crown Law, prosecuting people who commit offences against the Immigration Act. The focus is on preserving the integrity of the immigration system by deterring wilful non-compliance and prosecuting serious organised offending.

Allegations of migrant exploitation and people trafficking are prioritised - they create the most harm because of the potential number of victims, vulnerability of the victims, impacts on migrant communities, and threat to New Zealand's international reputation.

4. Are the numbers of investigations increasing?

The seriousness and complexity of offending has increased in recent years, and cases require more resources, take longer to investigate and result in more charges being laid in each prosecution. This is reflected in an increase in prosecutions over the last three years, from 19 to 33 (15/16). In 2015/16 INZ completed the first people trafficking prosecution and seven migrant exploitation prosecutions. Prior to 2015/16 there had been only one exploitation prosecution.

The Investigations team supports INZ's strategy to manage and minimise immigration harm by investigating and, with MBIE Legal teams and/or Crown Law, prosecuting people who commit offences against the Immigration Act. The focus is on preserving the integrity of the immigration system by deterring wilful non-compliance and prosecuting serious organised offending.

Allegations of migrant exploitation and people trafficking are prioritised – they create the most harm because of the potential number of victims, vulnerability of the victims, impacts on migrant communities, and threat to New Zealand's international reputation.

Export education is a primary sector in New Zealand's economy and one that has been promoted as having the capacity to be doubled by 2025.

5. With the doubling of student numbers, how will this impact on Immigration NZ?

The 2011 Leadership Statement for International Education set a goal to double the economic value of export education by 2025. This does not mean doubling the number of student coming to New Zealand. Government agencies involved in the regulation of export education are working to ensure that our settings focus on building value (rather than just volume) and the marketing of our export education services is increasingly targeted at those students who make the greatest economic contribution during their stay in New Zealand.

However, Immigration New Zealand (INZ) is well equipped to deal with any increase in international student numbers. A new service delivery model, along with INZ's new global management ICT

system (known as Immigration ONLINE), has helped INZ deliver more efficient visa services, and customers can now apply for many visa types (including student visas) online.

Online applications can be processed anywhere in the world, which means that if one INZ office is experiencing high application volumes, work can be transferred to another office as necessary, resulting in quicker processing times for customers.

For student visa applications made within New Zealand, processing is centralised at the Palmerston North Area Office, which enables better risk identification. Applications from offshore customers are processed by selected INZ offices depending on where the application is made. In the Indian market, for example, all student visa applications are processed by the Mumbai Area Office.

INZ has also recently implemented a number of efficiency projects, including the staged rollout of label-less electronic visas (eVisas), and the Pathway student visa pilot. The Pathway student visa allows students to study multiple courses on a single visa (for example, a Foundation Studies programme could be followed by an undergraduate degree programme and post-graduate study) subject to certain criteria being met.

INZ has also invested in verification processes that enhance its ability to detect systematic fraud while also providing intelligence to guide risk profiling and ensure low risk and high value applications are processed as quickly as possible.

Additional funding was provided in budget 2015 for managing immigration risk offshore and enabled INZ to improve onshore border security and offshore risk management. The first step is to prevent migrants who are a high risk of being involved in crime from entering New Zealand. The strategy is to identify and manage risk offshore and at the earliest possible point through advance information and risk profiling.

6. In your opinion, what would a successful export education immigration policy look like?

Broadly speaking, a successful export education immigration policy is one that supports New Zealand's export education industry by facilitating high-value students to come and study here while also protecting New Zealand from fraudulent practices and students from risks such as exploitation.

7. In terms of risk analysis, what are evaluated as being the greatest threats in granting international students temporary immigration status?

MBIE recognises that international students are vulnerable to exploitation and is focused on ensuring that students are not put in a vulnerable situation.

Labour exploitation is totally unacceptable. Within MBIE, INZ and the Labour Inspectorate works closely together, including undertaking joint operations with other agencies, as part of a whole of government approach to combating migrant exploitation. Law changes in 2016 mean employers who exploit migrants can now face hefty jail sentences or fines of up to \$100,000. Employers on residence visas who exploit migrant workers can be deported if they commit offences within 10 years of gaining residence.

MBIE recognises that migrants have been reluctant to come forward to report exploitative practices by employers. This has been particularly the case where the migrant is potentially in breach of their visa conditions, or overstaying. We encourage migrants to come forward to relevant agencies with any claims of workplace exploitation where their concerns will be handled in a safe environment.

8. How has this potential risk been evaluated and responded to by Immigration NZ?

Although the majority of full-time tertiary students have the right to work for up to 20 hours per week, it is a requirement that all student visa applicants have sufficient funds to support their stay in New Zealand. At the time they apply for their visa, the student must provide evidence of at least \$15,000 per year or \$1,250 per month if the student will be undertaking part-year a programme of study (defined as less than 36 weeks). These requirements are in place to ensure international

students do not put themselves in a vulnerable situation and subsequently become victims of exploitation.

The ability to work part time while studying can be a good experience for an international student, especially if they find work in an area that is related to their study, and it connects international students to the New Zealand labour market. However, any work in New Zealand undertaken while studying must be in accordance with immigration and employment regulations.

After a student visa is approved, INZ sends all international students an email providing important information and links to a wealth of information about studying, working and living in New Zealand. In addition, the email contains information about keeping safe and links to the New Zealand Police and the New Zealand Qualifications Authority (NZQA), which administers the Education Code of Practice.

9. Is there a concern with the type of international student that is travelling to New Zealand (in terms of nationality and education level etc?)

INZ is focussed on ensuring that all student visa applicants are genuine and all applications are individually assessed to meet Immigration Instructions regardless of an individual's nationality.

10. Do you think that international students have characteristics that make them different / more vulnerable than other migrants entering New Zealand? Does this mean that they need greater monitoring and protection?

Generally speaking, young people on their own and far from home are likely to be more vulnerable than other migrants. An updated code of practice, the Education (Pastoral Care of International Students) Code of Practice 2016, was introduced in 2016 and is available on the NZQA website.

11. Do you think there is a real concern about illegitimate visa applications both pre-study and for post-study work visas? How is this potential risk addressed?

A visa will only be issued if the applicant meets all the requirements for the category they have applied under. To apply for a post study work visa, an applicant must meet all the requirements for this visa, including qualification and funding requirements.

12. A number of international students I interviewed complained about the inconsistencies in immigration application applications and how people were 'gaming the system'. Is this a concern?

All applications are assessed in line with immigration instructions, which set out the rules and criteria that must be met in order for an application to be approved. Immigration officers may ask for additional information where risks have been identified through our risk profiling processes.

13. Recent publicity over invalid applications and subsequent deportations have suggested that the problem is more widespread than suggested. Are these prosecutions as a result of more successful monitoring?

INZ has invested in verification processes that enhance its ability to detect systematic fraud.

14. What information do you collect on International students currently?

INZ collects information through its contact with students; this is primarily through the visa application process. The student visa application form must be completed in full and requires applicants to provide a range of information that is recorded in our application management system.

INZ also gets information from other sources, such as education providers and other government agencies. For example, education providers are required to notify INZ should they terminate a student's enrolment.

15. What information-sharing is there between other agencies? e.g. the Labour Inspectorate, Education NZ etc. Do you work together in any formalised capacity?

INZ has memorandums of understanding with a number of government agencies, including the New Zealand Qualifications Authority and the Tertiary Education Commission, to enable the sharing of international education-related information. We work closely with these agencies, as well as with other parts of MBIE such as the Labour Inspectorate and the Immigration Advisers Authority.

Policymaking

16. What policy priorities does Immigration NZ have to mitigate potential and existing issues concerning international students

17. From a policy setting, are there further changes needed to protect the integrity of the NZ immigration system?

All decisions regarding Immigration Policy are made by the Minister of Immigration. Policy settings are constantly under review to protect the integrity of the New Zealand immigration system.

18. Do you believe the changes in government legislation (e.g. new migrant protection legislation) have had an impact? How?

Amendments to the Immigration Act in 2015 saw legislative changes to enable anyone who exploits migrant workers to be held to account. The amendment widened the definition of migrant covered by the provisions preventing exploitation from only people who are working unlawfully in New Zealand to include all temporary migrant workers both lawful and unlawful. This meant that the potential pool of workers protected by the Act increased from estimated 10,848 to the entire temporary migrant population.

19. What do you think could be done in addition to regulation, monitoring and enforcement to protect migrant students?

A new Education (Pastoral Care of International Students) Code of Practice came into force on 1 July 2016. This code was designed to both support and care for international students in New Zealand. The Ministry of Education is leading work to develop an International Student Wellbeing Strategy and there are already a number of initiatives underway. For example, the Auckland Agency Group is which includes government departments, DHBs, and the Human Rights Commission and has a number of programmes underway to support and inform international students.

20. Do you think there is any impetus to further regulate in this area?

Officials are currently considering the regulatory settings in relation to provision of immigration advice.

Any individual providing New Zealand immigration advice, either in New Zealand or offshore, must be already licensed unless explicitly exempt. There are some limited exemptions from this licensing requirement including an exemption for immigration advice provided offshore in relation to student visas only. There have been reports that some of these offshore education agents are providing immigration advice beyond the scope of the exemption, which is leading to negative outcomes for affected international students.

Offshore education agents were specifically exempted from the requirement to be licensed due to concerns about the likely negative impact on the New Zealand export education industry. Education agents are responsible for the majority of offshore student visa applications, and most send students to a range of countries.

The exemption of offshore education agents is being looked at in the current review of the Immigration Advisers Licensing Act 2007. This will be considered alongside advice on other related

work being undertaken by government agencies, including Education New Zealand's review of its recognised agencies programme, ENZRA. The ENZRA review will provide recommendations as to whether ENZRA should continue, and if so, what improvements can be made .

Within this context it is also important to note that education providers have obligations, under the Education (Pastoral Care of International Students) Code of Practice 2016, to recruit students responsibly and to take responsibility for those who recruit on their behalf.

Appendix R: Detail from Stage Three Stakeholder Interviews

Brian Lythe on racism and discrimination:

I You mentioned racism there a couple of times, do you think that these students in terms of the way they are treated In Auckland, that there are elements of racism?

Yeah, of course. I do a hell of a lot of accommodation, so I'm in and out of blocks all over the place all the time and I come across situations where I have to personally intervene to actually explain to the person, I'll give you one example: I was out at Mount Albert and there was a guy from the Caribbean who was actually a Commonwealth Scholar, so pretty prestigious and he was a black guy and he was just completely bloody blocked from, he had a wife and child, to get a little unit in Sandringham to live in and he couldn't get through it. So, I personally went out and I went to the real estate people and I said, listen, this scholarship is one of the most prestigious scholarships in the whole planet, etc, etc. Eventually they gave it to him, but they just blocked him off you know.

So, there is racism. I'll give you one more example- there's institutional racism too. A Papua New Guinea student, he goes to the city on Friday night, and he has a little bit too much to drink. He's actually driven in a car that belongs to his mate so he comes out of the drinking place at about two in the morning and he's a little bit gone and he tries to get in his car with a view to lying on the back seat, wait until the morning and then he'll drive home. Sadly for him he tries to get into the wrong car, this is a true story, a security guard was in the area so xxxx was taken up to the central police station and he was booked and sent to the remand in Mount Eden on the grounds of having tools for burglary, that's what the words were. What's a tool for burglary? A car key. He was put in remand in Mount Eden, it took me some visits, and it took me four court appearances, and it went all the next day, there were all six weeks apart from each other, to get this guy out of the whole situation. He got beaten up...

I Was he given bail, or was he still in there? So, he got stuck in Mount Eden prison?

P He got stuck in the remand, there's two prisons there, the straight and the remand, he got put in there, I desperately tried, it took me four or five days to get approval to get in to see him, and I actually was scared that he was going to kill himself because there's been stories about young guys, aboriginal fellows in Australia, who hung themselves in there. For a guy from PNG he was sort of ashen grey, and I thought, oh God, he was 19, I thought, he's going to hang himself.

I He'd be so scared.

P He was terrified, but he was the feisty little bugger and when he got in there the crims inside, they test you out, and he fought back. So, he got stuck in the plughole, the 23 hours a day in solitary. And they all laughed, and he got put in there, 23 hours, in a block.

- I That's enough to break you.
- P Yeah, and then he said when he had something to eat the big fellows stood over the table and they said, so you have to give them your banana and give them your cake, otherwise they're going to bash you, but he fought so he had quite - anyway it took four court appearances to get him out. In the end the last judge on the fourth one what the hell are you doing in my court –
- I And how should it have gone this long?
- P And this is absolutely absurd, so I dismiss the whole thing. But by that time, he was knackered, and he packed his bag and went back to PNG. Now, the racism was, if that had been a young white kid from Remuera, the security man would have taken him, probably not even that, let's say took him up to the police station, the police would have said –
- I You're a bit drunk, sleep it off.
- P Or else they would have said hop in the patrol car, who's your dad? Oh, my dad's a lawyer and he lives in Remuera, or something similar, we'll take you home, don't do that again, take care of yourself, deliver him to the doorstep. That's what would have happened. Instead of that, he's a black guy, straight to remand, not even in a cell for a night, and it takes four court appearances over a period of about four months to get him out, in which case he's had it.
- I Gone, and also missed all that university, can't come back in.
- P And he just had it, he just packed it up. Now that's institutional racism, that's something that we don't even realise that that's what we're doing as a society.

Craig Smith commenting on New Zealand monitoring and enforcement mechanisms:

I think that labour inspectors might be part of the answer but we still don't know what the fundamental question is for the sector, so I go back a step and say, jointly do the definition work and then jointly agree how the resources are going to be applied, so where's the parallel? You've got a parallel I think in health and safety and I the leaders of the major construction firms of New Zealand, WorkSafe New Zealand, SERA, ACC, there's a number of players that are going, okay so what's the problem that we're trying to solve here. It's not just throw a whole lot of activity at stuff because, let's have a coordinated programme that is reflective, that is evaluative, that tells us when we are starting to succeed and not succeed, and I think what I'd love to see in this area is how do you actually pull those players in?

How do you pull health and safety players in, the other regulators, Immigration New Zealand, probably potentially a much more effective regulatory force than labour inspectors because you've got to think about, if you're going down the enforcement path, and you are going to have to at some point, who has the power,

where are the penalties strongest, how will it hurt, and Immigration is the one. And we've seen that recently with the prosecutions that have happened under the Immigration Act, they've had far more impact than small penalties through the employment side.

Dennis Maga speaking about exploitation and racism:

What I fear right now, we will not be able to stop this exploitation, including the education trafficking, we are also bringing the corruption culture to this country... because if ever we fail to stop that we're going to wake up one day that New Zealand is no longer different to countries in Asia.

I So you think that a positive or negative –?

P No, it's negative because if ever we do that then we are actually heading in the wrong direction. The low wage economy is actually for migrants and for brown people, because I also include the Pacific Islanders, they are also the ones who are actually doing the RSE.

I The RSE scheme. Exactly, and there has been a lot of discussion around that and that has cleaned up the horticulture sector a lot, but it has also meant that the rogue operators are using international students to undercut the RSE guys.

P Exactly. It seems that it's really phenomenal, because those low wages you can see the colour of their skin and those in the hierarchy you can also see the colour of their skin. So it is becoming the situation in New Zealand and we are hoping for fighting for fairness and equality, that New Zealand as a country will not actually go that way; will find a way how to inoculate that, to arrest that kind of behaviour in the market, and that we find a way to work with different employers who are also philosophically opposed to this kind of practice.